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THE RISE

OF

CHIROPRACTIC

By

CHITTENDEN TURNER

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PREFACE

There has been an increasing demand for a history of chiropractic. Strange it seems that so unusual a story has not before been told in some measure of detail, for the long encounter of chiropractic is unique not only in professional annals but in American life.

As obstruction and adversity induce hardy growth, this young contender in the arena of science, having lasted a generation, should appeal to the critical lay world at least as a phenomenon worth a closer appraising.

To chiropractors, who have not agreed with their adversaries quickly, we hope this initial chronicle will seem adequate in narrative, as well as in scientific and philosophic exposition. For the legion of enthusiastic patients and former patients may this unprejudiced account prove not too temperate. To all other guardians of health be it sufficiently provocative to speed the great and beneficent task of unveiling the truth of the relative importance of pills, nerves and prayer.

Grateful acknowledgments are extended to the practitioners, educators and others who have so generously supplied facts.

April, 1931. C. T.

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INTRODUCTION

HIS AGE, revolutionary and wonder working beyond all others, and so most open-minded, is especially characterized by a spirit of investigation. Never before has mankind been so organized to help mankind, and by this urge new processes are being rapidly discovered and old beliefs renovated or replaced. The barriers of dogma and fear have been lowered. Knowledge at last has reached the abodes of the lowly. There has come into being a better understanding of man, a clearer conception of God, a brighter hope for humanity.

As standards continue to be shaken before today's healthy temper for investigation, conservatism, liberalism and radicalism overlap and blur. Fine distinctions yield to tolerance as bigotry becomes obsolete and science more human. Yet this first generation of the Twentieth Century has witnessed antagonisms of the fiercest kind and its exalted pride of achievement is not unmixed with humility. The fallibility of systems has been abundantly shown. We are conscious that science is a story but half told, that tomorrow another page will be turned.

Progress is most proclaimed where obstacles have been severest. Out of struggle and opposition have come Christianity, the Magna Carta, the discovery of America, the resources of the Jews. Persecution time and again has paused to kneel in praise. "The stone that the builders rejected is become the head of the corner." Downtrodden peoples have arisen stronger than their conquerors. The greater the humanitarian cause the more surely arises in opposition to it the familiar triumvirate of skepticism, prejudice and malign hearsay. Entrenched power always blocks innovation, and today's kindlier justice is but the product of centuries of suffering. Evolution persists through retrogression as well as advancement. Desuetude, destruction and decay operate to direct the footsteps of humanity backward, while the vitalities and inspiration born of struggle and heroic experience urge them forward to the achievement of a higher civilization.

Much of the retrogression and degeneration in the slow process of evolution is preventable, and it is the business of science to minimize waste. That which was progress yesterday, because man knew no other road, becomes retrogression today.

We have not yet reached that lofty eminence where we can accurately appraise the relative

importance of all that is new, nor of all that is old, and we often forget to honor the ingenuity of ancient and primitive inventors. There have been lost arts, notably in building and the use of pigments. There are still secret arts such as the manufacture of dyes and that uncanny practice of South American Indians by which human skulls are shrunken to the size of a mango. Aborigines in many parts of the world have retained strange secrets that have baffled the science of the white man. Many of the wonders of ancient times survive to the disparagement of our much-vaunted knowledge and inventiveness. In the twenty hundred years of Christianity there has been retrogression in various fields and retardment in others. The Dark Ages presented a civilization far below Athenian culture, and even today the fundamental science of government has yet to be evolved from its archaic forms.

What constitutes progress but an increasing sum of human happiness? In loosing the shackles of oppression, toil, poverty and disease, science is hailed as liberator. Her triumphs and mistakes have been legion. Today exist the most glaring discrepancies and contradictions in science, art and education, for far advanced as we are in one subject we are aimlessly adrift or backward in another

and forever trying to readjust worn out ancient patterns to modern ideas.

The healing arts today by their incongruous diversity reflect the various grades of public intelligence which science thus far has failed to merge and to command. Witch doctors and medicine men still exist much as they did long before civilization dawned. Faith, Superstition, Science, like the inseparable Parcae, still hold the life cord. Altar and laboratory continue as rivals in the work of prevention and cure. And latterly a growing disbelief in drugs has invited a fresh, unbiased scrutiny of medical science—not inappropriately, considering the metamorphosis of pharmacies into restaurants, general stores and contraband bases. War enhanced the prestige of surgery. Machinery has dignified the diagnostician. Radio has encouraged occultism. Baffling are the byways of progress, since thyroid glands and teeth have become as vulnerable as the appendix and tonsils. Tolerant America may yet be rendered immune from disease by its will to investigate. However, America, despite her multiplicity of laws and restrictions, is still temperamentally the land of the free, bequeathing a charity that has invited opportunity and progress such as the world has never known.

CHAPTER I

Antecedents

IN ITS EXISTENCE of more than a generation chiropractic has attained a status which attests the scientific importance of its theories. No more radical departure from therapeutical standards has ever occurred in the history of bodily cure.

Thirty-nine states of the Union have bestowed some form of legal recognition upon this system of healing. Twenty-three of these states have granted autonomy to chiropractic through self-governing boards of examiners and licensure, and today nearly every country has its chiropractors.

The saga of chiropractic is that of a continuous struggle against medical authority. Its progress has been beset at every turn by an unrelenting antagonism which has lodged thousands of practitioners in jail. Yet in spite of adversity and oppression there has been persistent advancement, due to a growing public faith in the efficacy of chiropractic.

Of particular significance has been the raising of an issue with which the country at large is as yet unfamiliar, a question destined to loom large in the affairs of the nation. This relates to the alleged political activities of the American Medical Association and the state medical boards, and the resultant compulsory examinations and treatment of individuals according to laws invoked by allopathy.

In Chapter V will be reviewed the situation risen out of the activities of the various drugless healing professions, which is alleged to involve at the present time an alliance between the state and medical authorities, unconstitutionally preventing individuals from being treated through healing methods they prefer and threatening an arbitrary control over life and well-being. Chiropractic organizations view the alignment as infringing upon public liberties and potentially more insidious than alliances between state and church, which modern peoples have long vigorously resisted.

The most impartial review of chiropractic cannot fail to connote the signal question of the legitimacy of its opposition. In the light of advancement and changing science, if the world is destined to apprehend still more efficient methods of healing

and prevention of disease it may indeed look back upon the attempted suppression of chiropractic as a flagrant hour in a day of tolerance.

Even before faith in panaceas began to wane in the '90s, attention turned to the spinal column. Osteopathy had been founded by Dr. A. T. Still in 1874. His contention was that the body was a natural chemical laboratory, the fluids of which contained chemical substances adequate for the cure of any disease, that the process of restoration could be prevented only by bone displacement. By the manipulation of the bones the flow of the proper organic or inorganic substances could be released. Improper circulation or some kind of blood disturbances Dr. Still gave as the cause of disease.

At this time osteopathy came as a radical departure in healing, and won varying degrees of approval, incredulity and opposition. Bone manipulation, however, was by no means new. The Egyptians are said to have replaced vertebrae over a period of nearly 3,000 years, and this curative system was not unknown to the ancient Chinese. Æsculapius, the traditional father of medicine, is declared to have employed the method during the Fifth Century B.C., and members of the cult of Æsculapius were reported to be practic-

ing in Paris as late as 1895 a system closely resembling chiropractic.

Among aborigines in various parts of the world as far back as history goes spinal treatment has been employed. Treading upon the back of a fatigued person as a means of restoration is said to have been customary in some of the African tribes and among the Maoris of New Zealand, where today, incidentally, chiropractic has attained a following. American Indians are familiar with this practice of treading and it is still perpetuated in some of the western reservations. Runaway Navajos have been habitually punished by being compelled to travel back on foot to the reservation. Clemency is then shown by permitting the prodigal to lie face downward while an accommodating friend walks up and down his spine. Similarly, the children of Bohemian peasants upon request used to ease the weary backs of their parents by a vertebral promenade. Among the Chinese of the rice fields this type of "ancestor worship" has been extant.

Chiropractic appears to be the culmination of a primitive consciousness shared among far-scattered peoples of the past and present: that "disease" has its source at the spinal column. The normally sensitive individual is aware of the cen-

tralized power at the backbone, if only through the more complete relaxation obtainable by lying flat on the back. Dogs, horses and other animals instinctively revive nervous energy by rolling on their backs.

For many generations prior to their adoption of chiropractic the Czechs employed a system of adjustment for healing purposes. It was a simple process of straightening the vertebrae to relieve pressure and bringing tendons into correct position. The present technic was unknown. The more remote, far-reaching effects of adjustments are thought to have been learned incidentally, attending treatment for specific injuries to the spine. Other sicknesses disappeared besides that for which the adjustment was intended.

Elderly Hawaiians living today tell of *lomi-lomi*, a method of adjustment similar to chiropractic. In the fall of 1927 Dr. Mae Parsons of Los Angeles attended Kawaiahao Church in Honolulu, which raises its old coral pile at King and Punchbowl streets nearly opposite the capitol, and on whose grounds is the Lunalilo mausoleum. It is of Congregational denomination. Its pastor, the Reverend Akaiko Akana, was a Yale graduate and an impressive speaker. An elderly Hawaiian woman sitting beside Dr. Parsons began to nod and

finally fell asleep. A man sitting behind them, presumably the woman's husband, gave her a tap on the head. As the woman jerked into wakefulness she suddenly lost color and fainted. The service was interrupted by calls for a doctor. Dr. Parsons introduced herself as a chiropractor. She adjusted the second dorsal vertebra and the woman promptly regained consciousness. One or two of the bystanders murmured with astonishment "*Lomi-lomi*," and a woman native inquired of the chiropractor how she had come to know of this form of treatment. The latter replied that in America it was called chiropractic. The other spoke with regret of the many young Hawaiian men having ignored the old curative method of the people to take up medical study.

Prior to her return to the continent Dr. Parsons by chance witnessed a treatment in *lomi-lomi*. Several native swimmers as they came ashore on the beach at Honolulu one after another reclined face downward behind a wall where an elderly, distinguished appearing Hawaiian proceeded to administer a spinal adjustment, evidently to counteract any ill effects from diving and to induce relaxation.

CHAPTER II

Theory and Discovery of Chiropractic

THAT CHIROPRACTIC is a natural rather than empirical method is indicated historically as well as physiologically. Its discovery by Daniel David Palmer, however, and subsequent development by himself and his son, Bartlett Joshua Palmer and other contemporaries, are commonly regarded as the creation of a system unlike any other known to therapeutics. It was briefly defined by its founder as "the science and art of correcting abnormal functions by hand-adjusting, using the vertebral processes as levers." He announced the basic principle that life is the expression of tone, which is the normal degree of nerve tension expressed in various functions by "normal elasticity," strength and excitability of the organs. He maintained that disease was produced by the nerves being too tense or too slack, or some variation of tone. Life's inherent quality he declared to be the renitency of tissue, or its ability to withstand pressure. Abnormal tension, causing a

change in tissue, produces disease. He pointed out that when the nervous system is unimpinged vitality and intellect are at their maximum activity, and, oppositely, that when there is a slip of one of the twenty-six movable vertebrae, termed in chiropractic a subluxation, injury occurs to one of the thirty-one pairs of spinal nerves. The resultant pathological condition requires that the chiropractor trace the affected nerve manually to the spine (palpation) and adjust the proper vertebra so as to relieve pressure.

Nerve force D. D. Palmer announced to be the life-giving energy. Impulses are carried by the nerves to all parts of the body including the cells, sensations of every kind being of the nerves and not the blood. Dr. Palmer accordingly advanced the essential principle that disease is due to insufficient or excessive functionating. He developed an extensive philosophy of chiropractic, recognizing the influence of mind on the body, yet disregarding this in the work of adjustment. The sources of mentality he described as spirit, soul and body, and discussed at considerable length the two mentalities, the Innate and the Educated. Spirit, soul and mind he declared to be distinct from matter, spirit being able to live without matter, but mind depending upon the Innate, or individualized spirit, for its

existence. (*The Chiropractor's Adjuster* by D. D. Palmer; page 768.)

Unhesitatingly he announced himself discoverer of the method which he named chiropractic, and frankly admitted having received information about it from Dr. Jim Atkinson, who had lived in Davenport, Iowa, and had tried ineffectively for many years to introduce the theory. Dr. Atkinson had learned of the vertebral manipulations practiced by the ancients, and possibly of the findings of German physicians a century before to the effect that in the case of nearly every disease some maladjustment of vertebrae was discernible.

It was in September, 1895, that Dr. Palmer gained first-hand evidence of the principle which he flung in the face of science. He had been a magnetic healer for nine years and had an office in the Ryan Block at Davenport.

The First Adjustment

The following is taken from D. D. Palmer's own account of the discovery of chiropractic. A negro janitor by the name of Harvey Lillard had been deaf for seventeen years, to such a degree that he was unable to hear a wagon rattling along the street. He traced the affliction to an exertion while stooping in a cramped position, when something in

his back gave way. His hearing was immediately affected. Examination disclosed to Dr. Palmer a racked vertebra. He persuaded the man to allow him to adjust it, which he proceeded to do by using the spine as a lever and pressing the luxated bone into place. The dawning belief that he had discovered a mighty and fundamental truth was verified when Lillard presently regained his hearing.

To what degree D. D. Palmer was experimenting in a theory of which he had already acquired some knowledge has been a mooted subject. The discoverer's own subsequent statement on this score was as follows:

"There was nothing 'accidental' about this, as it was accomplished with an object in view, and the result expected was obtained. There was nothing 'crude' about this adjustment; it was specific . . ."

This declaration was made because of comments to the effect that the discovery had been entirely accidental. Dr. Palmer's frank admission that he had received knowledge of vertebral adjustment from Dr. Atkinson prior to treating Lillard, however, would certainly indicate that the cure was not merely fortuitous.

Dr. B. J. Palmer, son of the discoverer, in his address at the annual lyceum of the Palmer School of Chiropractic, August, 1930, referred to the Lil-

lard case, saying that an unusual bump appeared on Lillard's back and that his father pressed it for three days before the man's hearing was restored. Then his father reasoned that if deafness could be cured by treating the spine, other deficiencies might be similarly cured. The report of this address appears in the *Chiropractic News* of September 18, 1930, the official publication of the American Bureau of Chiropractic.

Dr. Willard Carver, head of the Carver Chiropractic College at Oklahoma City, who was one of the earliest pupils of D. D. Palmer, is of the opinion that the latter had but a vague notion of what he had discovered when Lillard's deafness was cured. In the *Chiropractic Record* of May, 1913, published by the organized alumni of Carver Chiropractic College, Dr. Carver says:

"He was not by any means certain what he had discovered. So uncertain was he in fact, that he confided the whole matter to his friend, Rev. Samuel Weed, who was his co-student from the very first up to the time when he began to teach what he had learned of the then system of vertebral adjusting."

This was the first adjustment in chiropractic. The healing had been accomplished not by manipulation of the entire spine, according to the methods

believed to have been employed by the ancients, but by a specific adjustment using the spinous and transverse processes as levers. This has remained the essential, characteristic method of the chiropractor, despite minor deviations and discoveries in technic from year to year. In the light of his subsequent findings, Dr. Palmer concluded that all pathological conditions were due to nerve impingement at the spinal foramen. Because the brain and spinal cord are of the same substance and carry energy to the entire body, it seemed logical in view of the Lillard case that that which is called disease found its origin at the spine. Here causes might be treated and not merely effects, as through the use of drugs and surgery. Assured by continued experiment of the soundness of the theory, he termed disease "aberrated impulse" caused by pressure on the nerves affecting certain functions, as by tension or irritation. The movable vertebrae might be put out of position by falls, heavy blows, strains, faulty carriage, stretched ligaments, contractions caused by disease, inherited weaknesses, etc.

The Religious Cognate

The philosophy constructed about his discovery by Dr. Palmer reveals deep, sincere conviction that he had hit upon the secret of the life-sustaining

force. While the religious elements of chiropractic have almost entirely fallen away in the course of its professional development, they appear in retrospect as attributes of an inspired belief and in no sense as a fogram attempt to ritualize the discovery. Nor indeed should the zeal of this citizen of Davenport be criticized because he had been a magnetic healer, unless one is disposed to outlaw all ministrations of this kind. That he was successful as a healer was indicated by a clientele that might have done honor to the mesmerist Phineas P. Quimby, Mrs. Eddy or Emile Coue'. Mrs. Eddy founded a religion upon her healing. Dr. Palmer erected a philosophy upon his own discovery, with a religious keynote which his followers believed unnecessary. The question whether healing is caused by Nature, God or man is secondary to the fact of healing itself, for none of us is permitted to know the whole truth of life.

Suffice that D. D. Palmer, untrained in standardized therapeutics, entered upon an intensive study of disease in its relation to bone luxations, his findings being compiled and published fifteen years later. During the first two years he kept the principles practically secret, while treating a large number of patients with a success which caused much wonder and speculation. It is said that he gave

numerous treatments in a dimly lighted room and received at times as much as $500 from persons who secured admission for the purpose of learning the method. Observation, however, it is said, taught them nothing whatever. His sole confidant was the Rev. Samuel H. Weed of Monmouth, Illinois, who had aided him in naming the system, employing the Greek words *chiro*, hand, and *praktikos*, effective. His decision to impart to the world the secrets of chiropractic came in 1897, two years later, when he narrowly escaped death in a train accident at Clinton Junction, Illinois.

It was all the more natural, in view of this friendly clergyman's interest, that considerations of divine source should help to form the foundation of the new healing method. Into its structure went a little of the magnetic theory concerning the human aura, but the discoverer apparently made no effort to introduce it into his subsequent practice. In 1910 he indulged in some satire at the expense of Dr. Willard Carver because the latter had abandoned suggestion as a therapuetic aid to chiropractic. At this period he emphatically announced his stand that mental as well as physical ailments were due to osseous displacements, declaring that even insanity and liquor and tobacco habits depend for their continuance upon mis-

placed vertebrae, the latter being drawn out of place by the contraction of nerves and muscles. It had been in the course of treating other diseases that Dr. Palmer professed to have found that unnatural cravings were perpetuated by luxations.

Validity Attacked

Although D. D. Palmer frankly declared in and out of print that he had been a magnetic healer for nine years, enemies of chiropractic seized upon this as evidence of a spurious origin of the science. That a magnetic healer and a former fish dealer could discover and evolve a new science was incredible, what though the disciples of Christ himself were lowly men.

"Everyone knows nowadays that it is a fake," wrote the osteopath, Dr. Eugene Pellette, of magnetic healing. Mrs. Annie Riley Hale offers in answer to Dr. Peilette the decision of the Royal Commission at Paris, 1784, where the claims of Mesmer were largely vindicated. These investigators included Jussieu the naturalist, Lavoisier the chemist, and Benjamin Franklin, who happened to be in Paris. Anton Mesmer, following his success in Vienna, had been obliged to flee from Germany. The investigation of his theory by five savants of the Academy of Sciences and four physicians is

told by the historian Wilder, who says, "The report failed to meet the issue, and so far from producing conviction, actually imparted new confidence to the champions of the new science." The theory of magnetic fluid unacknowledged by that name, was destined to become vindicated in the recognition of principles employed in hypnotism and manipulative healing, and comprehended in the scope of modern psychical experiment.

Nor is it intrinsically damaging to chiropractic to contend that D. D. Palmer had acquired something of osteopathy from Stother, a student in Kirksville, Missouri, the home of osteopathy, or that he had tried without success to establish a school of osteopathy with Stother about twenty years before his discovery of chiropractic.* If the elder Palmer was trained in osteopathy Dr. Pellette's inference that he was a mere adventurer without a sincere calling is untenable, and on the other hand the origin of chiropractic appears validated by a certain amount of scientific experiment on the part of the healer. If he repudiated osteopathy, preferring to accredit Dr. Jim Atkinson and his experiments with the nerves and vertebrae,

* From a statement attributed to Dr. Charles Still, son of the founder of osteopathy.

it is conceivable that Dr. Palmer may not have been actuated by any malice and actually regarded his own discovery and the theory acquired from Dr. Atkinson as having little in common with the fundamentals of osteopathy. A fair appraisement of chiropractic does not depend upon the circumstances of its origin but upon the work it accomplishes.

Scientific Verification

No more impressive scientific corroboration of the fundamentals of chiropractic has occurred than through the revelations of that eminent scholar, Albert Abrams, M.D., F.R.M.S., former professor at Leland Stanford University and graduate of Heidelberg. In his *Spondylotherapy* (spinal therapy), published fifteen years after the birth of chiropractic, he touched upon theories that startled medical doctors throughout the world. He states in the first edition of the work named: "The subject of spinal therapeutics has received less attention from the medical profession than its deserves. Even the laity know that cold applied to the back of the neck may arrest hemorrhage from the nose, and that heat applied to the small of the back may hasten menstruation. The profound and far-reaching physiological truths which underlie these

simple phenomena have either been ignored or only given inconsiderate attention. Others, less scientific but more astute, have determined empirically that manipulation of the spine does sometimes cure conditions that have failed in the hands of experienced physicians. The author was led to a deeper study of spinal therapeutics in investigating various visceral reflexes which bear his name. As the years passed on he ascertained that a number of pathological conditions could be more easily and certainly controlled by spondylotherapeutic means than by the conventional measures. Sometimes physicians may consider the remedial methods discussed in this book to be unduly and unworthily simple, on the principle that what is obvious can hardly compete with what is obscure in the treatment of disease. Anybody, however, who investigates the study of spinal therapeutics in earnest will discover that the simplicity is only apparent. The successful practice of spondylotherapy requires knowledge, observation and experience of the highest kind, and is comparable to the best effort in any other department of scientific medicine. Any method of cure that is more or less new is inclined to be viewed critically by the formalist and traditionalist."

More specific testimony comes from Dr. Henry

Winsor, of Haverford, Pennsylvania, who rendered a report of his investigations of spinal lesions and their relations to visceral diseases before the American Orthopedic Association in 1924. He discovered spinal subluxations in every one of 100 cadavers. The latter were obtained from the operative surgical laboratory of the University of Pennsylvania. Fifty cadavers of adults showed vertebral subluxations in the same spinal segments supplying innervation to 139 diseased organs. Of 221 diseased structures in fifty cadavers 212 corresponded to the segments having subluxated vertebrae. That nine of the diseased organs failed to correspond is explained by the fact that nerve filaments from several segments may innervate an organ; also, filaments from one segment may supply several organs. Accordingly, in no case were all the organs found diseased which corresponded to the segments where subluxations occurred. In forty-two cadavers, associated with spinal subluxations in the upper dorsal region, were observed twenty-six instances of pleural adhesions, the lungs being diseased in nineteen of the twenty-six cases. The heart was diseased in six cases. The substance of the findings was that disease exists as a rule in organs and structures experiencing a loss of innervation through subluxation at the spine.

Much other medical opinion is advanced in support of chiropractic theories. Notable testimony comes from the *Medical Record* of July 30, 1921 (vol. 100, no. 5), in an article entitled "Origin and Significance of Minor Vertebral Deformities," by Dr. J. Madison Taylor, professor of physical therapeutics and dietetics at Temple University, Philadelphia. Dr. Taylor writes: "A trained eye and touch will note, on examining the back areas of most individuals, young or old, certain anomalies of structure. Among alterations of structure are deviations of alignment of the vertebral eminences, often sudden, abrupt, some to one side or the other, some projecting posteriorly, others depressed. These are rarely noticed because the spine is seldom examined, but they deserve critical attention and differentiation. The subject has long attracted me and I approach the solution with an open mind. . . . One fact is sure: far too few physicians do explore backs, and yet fewer seem qualified to interpret the findings. . . . A definite constant relationship exists between certain morphogenic changes in the paravertebral tissues, and many ailments."*

The late Elbert Hubbard, one of the most bril-

* From *The Verdict of Science on Chiropractic*, by A. A. Erz, 1925.

liant writers of recent times, whose magazine, *The Philistine*, was famed for its satire, personally investigated the claims of chiropractic. He wrote in his book, *The Science of Keeping Well:*

"Above all things, a good chiropractor has faith in nature. He does not make the proud boast that he cures people. He knows that it is nature that heals. All the chiropractor can do is to put his patient in line with the healing forces of nature. Chiropractic never brings an adverse result. The chiropractor does not pin his faith in any single panacea. He simply knows the physical fact that a pressure of bone on the nerve brings about a condition where the telegraph system fails to act properly. With skilled hands he brings about right relationship and proper adjustment. He finds the cause and removes it. Chiropractors are not doctors of medicine. From them we get a new science which is adding greatly to the happiness and welfare of the world."

CHAPTER III

Schools—Early Development

DR. PALMER'S first pupil was Leroy Baker, of Fulton, Illinois, and with the enrollment on January 15, 1898, of Dr. William A. Seeley, a homeopathic physician, the first approach to a scholastic course was undertaken. D. D. Palmer dated the founding of Palmer School of Chiropractic at Davenport as in the year 1897, but admitted that it was not in session until the following year, when there was but one pupil. His scattered notes indicate that there were three students in 1899, two in 1900, five in 1901, and four in 1902, among whom was his son, B. J. Palmer.

It is very doubtful that chiropractic would have survived its formative period had not the little nucleus of workers possessed a genuine belief that they had unveiled a scientific truth of far-reaching importance, and this seems amply corroborated by the quality of perseverance shown not only by these pioneers but by the thousands of adherents up to the present time. The story of persecution, imprisonment and poverty has no parallel in the

annals of modern scientific pursuit.

Already in 1903 the school had incurred the censure of physicians, and presently D. D. Palmer was arrested on the charge of practicing medicine without a license and was sent to jail for six months. At this time he was in debt to the extent of several thousand dollars, but owned some property in Davenport.

During his father's confinement, Dr. B. J. Palmer, who had just become of age, conducted the school under a power of attorney. When the former was released and severed connection with the school, the handful of students were left under the instruction of his son.

That year, 1903, the elder Palmer opened the Portland College of Chiropractic at Portland, Oregon. A three months' course was provided and two former doctors of medicine whom he had trained in chiropractic were employed as instructors. The venture failed and he returned to Iowa. Affairs were far from encouraging at the Palmer school. The Davenport banks would lend no money, newspapers refused to carry the advertising and chiropractic was commonly derided as charlatanry. Young Palmer was refused membership in clubs and slighted by old acquaintances. Dr. D. D. Palmer, seeing little chance of effective co-operation,

left for Oklahoma. It appears to have been 1907 when he made a business proposition in Oklahoma City to his former pupil, Dr. Willard Carver, at the Carver-Denny Chiropractic College, which had opened its doors in 1906. Dr. Carver had been his attorney at the time of his arrest, and had been one of the first to receive knowledge of chiropractic directly from the discoverer. Between this man of cultured experience and the self-educated itinerant, however, little sympathy remained. Irreconcilable views thwarted negotiations at the very outset. Dr. D. D. Palmer allied himself with A. A. Gregory, who had just completed a course at the Carver-Denny College, and an effort was made to establish another school at Oklahoma City. The Palmer-Gregory Chiropractic College, however, was of short duration, so Palmer, after a three months' trial, made his way back to Portland, Oregon, where the Pacific College of Chiropractic had been organized. Here again affiliations proved unsatisfactory and he retired to private practice and the preparation of a volume to embody the principles he had brought into life.

Already a compilation of his writings, to which his son had contributed, had appeared under the title, *The Science of Chiropractic*. Its publication he had opposed, declaring that he had not yet

learned enough about the subject. B. J. Palmer, however, believed that the establishment of principles was being retarded rather than helped by the absence of published material. Other works had appeared, notably those of S. M. Langworthy, Oakley G. Smith and Lenora Paxton; A. P. Davis, author of *Neuropathy,* and Willard Carver, who contributed *Chiropractic Analysis.* These products the elder Palmer attacked with characteristic zeal. Definitions, premises and deductions came in for trenchant sarcasm with an admixture of joviality.

It was in 1910 that his tome of 1,000 pages appeared in Portland. In many respects it seemed a challenge to the entire young world of chiropractic as well as to medical science. It was Mosaic in its dicta and Platonic in its thoroughness. Flaying allopathy in particular he denounced the use of drugs and discussed the cure of almost every disease from abasia to zymosis. The book teemed with maxims, controversy, satire, poetry and irrelevancies, but, withal, revealed a genius that must have impressed his most offended colleagues. Least of all was his own son spared in the many pages of diatribe. The full title of the work was *The Chiropractor's Adjuster, A Text-book of the Science, Art and Philosophy of Chiropractic for Students and Practitioners.*

An illustration of his trenchant irony occurs on page 45, as follows:

"Notwithstanding, Dr. Carver, under date of March 1, 1910, wrote me, 'The only thing I want distinctly understood between you and me is, that you are not permitted to publish my letters to you or any part of them.' I quote from his of Feb. 17th, 1910: 'In answering your question—Why not be specific in adjusting? I simply say, that is what I teach.' Giving seven pairs of nerves (14 nerve trunks), the occlusion of which causes consumption, is not precise, definite nor specific.

"Dr. Carver states on page 4 of his *Chiropractic Analysis* that he 'received the very crude application of its principles from the founder.'

"Those 'very crude' adjustments relieved him of consumption and are yet used by the founder in that 'very crude application' of adjusting one vertebra—the one displaced and none other.

"My adjusting of one vertebra for the relief of consumption in the case of Willard Carver he thinks 'very crude,' but the adjusting of three pairs of cervical and four pairs of dorsal nerves is considered by him to be precise, definite and specific. . . ."

On page 24 he flays his former attorney, pupil

and patient for shunning the word disease and substituting "abnormality," accusing him of employing the latter term forty-one times on four pages and eight times in seven lines.

He provided a weapon of defense for chiropractors arrested on the charge of practicing medicine without a license, or attempting to heal, which was effectively employed in various cases. Thus, on page 538, D. D. Palmer writes: "The science of Chiropractic does not cure. The adjuster relieves, removes the cause, then Innate can pass the impulses without hindrance." He refers to Innate Intelligence.

It is often said that "D. D.'s" claims never extended beyond that which he could demonstrate, and this view seems supported by the thoroughness of his study and exposition, even though this exposition in entirety amounted to a new conception of biology. Unquestionably he desired to establish chiropractic on a religious plane, and much of his philosophy still influences chiropractic education. His capacity for study and concentrated thought, although belied by erratic tendencies, appears to have been as phenomenal as his fondness for the esoteric and elusive. The latter was manifested to a degree astonishing in view of his meager schooling.

D. D. Palmer's Death

He lived to witness the entrenchment of his theories, and, with deep-rooted irony, to observe hundreds of Palmer School graduates in a profession founded upon what had been secrets—once reserved for the Palmer family. Thus was rendered even more poignant the tragedy of his death and the sensational episode of his last return to Palmer School of Chiropractic.

In August, 1913, was held a home-coming for the former students, one of the early annual "lyceums" which have long since become gala weeks for Davenport. The event was heralded far and wide and "D. D." hastened to that city. His arrival occasioned both surprise and embarrassment. When a street parade of students and graduates was formed, the undaunted founder, carrying a small American flag, placed himself uninvited at the head of the procession. An automobile in passing struck him and he was taken unconscious to a hospital. He spent several weeks recovering from the shock. When able to travel he went to Los Angeles and there succumbed on October 20.

Daniel David Palmer was born March 7, 1845, near Toronto, Canada, where his grandparents had settled. The Palmer family combined an English

and Germain strain, while the maternal ancestors were Scottish and Irish. The mother of Daniel was a surviving twin and weighed but a pound and a half at birth. Her son recorded that he was "cradled in a piece of hemlock bark." Facts of his early life are obscure, but it is known that his education was very limited and that prior to becoming a magnetic healer in Davenport, to which he had moved in 1886, he had been a fish dealer in the town of What Cheer, Iowa. Those who knew him in his later career declare him to have possessed an unusually magnetic personality and qualities of a psychic order. These were strongly inherited by Dr. B. J. Palmer, although the latter has belittled any such attributes. Both father and son are said to have been privately interested in spiritualism, which seems in fact verified by the latter's possession of various works on this subject.

At the time the elder Palmer opened his offices in the old South Putnam Building at Second and Brady Streets, Bartlett Joshua was a precocious gamin of the streets, who was somewhat forgiven for mischievousness because of an unusual brightness and originality. The lad's scholastic career terminated abruptly after a few months in high school, on the occasion of his releasing in the classroom three rats from a cigar box. "B. J.," as he is

called throughout the chiropractic profession, was fourteen years old at the time of his father's discovery coincidental with the adjustment performed on the janitor Lillard. Between the date of this event in 1895 and the founding of the Palmer school, the youth became absorbed in the subject which so completely occupied his father, and entered upon an enthusiastic study of the spine. Assisting his father in making adjustments, he gradually assumed the role of a teacher, therein incurring the disapproval of the elder by divulging some of the more closely guarded theories.

In 1905 B. J. Palmer acquired a new location for the school at 828 Brady Street, formerly the residence of J. C. Duncan, and paid seventy-five dollars monthly for the rental. Although able to purchase the property the following year the success of the establishment was by no means assured. Not only were his professional efforts still prey to public ridicule, but he received open abuse and even persecution. Nowhere in Davenport could he obtain a dollar's credit. Students were exceedingly few and advertising nearly impossible to provide. Yet this was the institution destined to become not only foremost in the chiropractic world, but largest of all schools devoted to the healing arts. In 1921 it had an enrollment of 2,300 students.

Growth of Palmer School

As late as 1906, when D. D. Palmer left Davenport, the tuition fee of $500 which he had originally established (for a few minutes' demonstration) had been maintained to cover the six-months' course, and at that time the number of students varied from fifteen to twenty. The majority of these students sooner or later opened their own schools. Among the early institutions were the Parker School of Chiropractic at Ottumwa, Iowa, founded by Charles Ray Parker in 1905, providing a six-months' course for $250; and the American School of Chiropractic, established by S. M. Langworthy in 1906 at Cedar Rapids, Iowa. Parker and Willard Carver both had been instructed by D. D. Palmer and thereafter together went deeply into chiropractic theories. Carver consequently began his teaching at the Parker school, where Lee L. Denny, a youth of twenty-one, took a course and then secured funds to aid in the establishment of the Carver-Denny Chiropractic College at Oklahoma City. Upon Denny's retirement in 1908 it became the Carver Chiropractic College, which today commands a prestige comparable with that of the Palmer school. Two of Langworthy's associates at Cedar Rapids were Lenora Paxton and Oakley G. Smith. The latter started a school in Chicago.

The fact that the various institutions taught somewhat different theories, no two being in precise agreement, is explained by the absence of a really formulated science at this period. Little more than spinal adjustment had been taught at the Palmer school. Naturally students on their own accord applied themselves to continually new problems of cause and effect, developed their own secondary theories and later passed them on to their pupils. Improvisations in technic were common, and distinction was deemed to rest considerably upon ingenuity. Invention was still in the air and an esoteric pride everywhere in evidence. Many of the newly original methods of address and adjustment were worthless, often ridiculous. The "Minnesota method" became notorious by the use of a wooden mallet and puncheon. For a time chiropractic seemed threatened by an excess of technic and a lack of science.

The tardy growth of the Palmer school was succeeded by a steady development. In 1915 more than 800 students were enrolled. Within a year thereafter the number increased to 1,400. American participation in the Great War reduced the number of students to 823 in 1917 and 549 in 1918, but the next year the roster showed 1,882 names. The students were largely of a promising

order and revealed serious habits of study. An impressive number had been identified with the more constructive spheres of life. Among the 2,000 students registered in 1920 there were 102 former school teachers, 12 ministers of the gospel, 16 former school superintendents, 6 editors and 8 others from journalistic pursuits, 45 musicians, 24 pharmacists, 11 chemists, 7 dentists, 26 officers from the Army and Navy, 51 nurses, 23 manufacturers, 165 students from other schools, several osteopaths, doctors of medicine and veterinary surgeons, engineers, railroad men, artists, clerks, housewives, stenographers, instructors in physical training and many from still other pursuits. The foreigners represented thirty countries, New Zealand sending thirty-four students for enrollment in 1921.

The business and educational success of Dr. B. J. Palmer has been explained by his possession of rare faculties of foresight, idealization and management. The *esprit d'accord* of this parent institution has become famous in the entire realm of chiropractic, for many thousands of its graduates have carried their praise far and wide, reflecting the strong personal hold of the director over his faculty and student following. Persons interested in the psychology of organization may find in the

Palmer school a very concrete example of that superior cohesiveness that comes from a single dominant leadership. It is perhaps true that but for the leadership qualities of B. J. Palmer, chiropractic would scarcely have survived its country-wide opposition. Under a czar-like influence a democratic atmosphere has paradoxically prevailed for a quarter of a century in this Davenport institution, and toward "B. J." and his wife, who was Mabel Heath, daughter of the school dean, a spellbound devotion has fostered work and accomplishment.

The enterprise of the leader, however, nearly wrought the destruction of the monument reared to his name. The advent of the "neurocalometer," a nerve-testing device, was destined to exert a strange influence on chiropractic. It nearly proved the Frankenstein of the Palmer school, yet, today, is the inseparable aide of many a practitioner.

Concerning the actual responsibility of Dr. B. J. Palmer for the disastrous results of this visitation from the domain of mechanics various accounts are given.

He had acquired just fame as a speaker, appearing before many kinds of organizations in all parts of the country. Incidentally, he toured the world, enriching his collection of *objets d'arts* and adding luster to his profession. On his extensive speaking

trips he refrained habitually from discussing chiropractic, but discoursed eloquently upon business psychology. These lecture tours are still considered at Palmer School among the most important departmental work.

The Neurocalometer

In 1923 on one of these excursions into the lay world he happened to address an audience of colleagues. He departed from this rule of avoiding reference to professional matters by a statement to the effect that unless chiropractors lived up to their obligations to the science the entire profession would fail. Inference was given that his former pupils should look to him for guidance. The unexpected tenor of the address disturbed the almost hypnotic influence which this professional demi-god had exercised for many years. What was in store for chiropractic?

Some months later every listed chiropractor received a letter announcing the perfection of the neurocalometer, which was able to register the heat of various parts of the body and thus indicate more definitely than the hand where vertebral adjustments should be given. While not for sale, one of these instruments could be leased for $2,200. The first payment would be $600 in cash. Chiroprac-

tors acquiring neurocalometers must charge their clients at least ten dollars for a reading or forfeit their contracts. Subscribers were to appear at Palmer School the following August for a series of lessons in the proper use of the instrument.*

Thousands of chiropractors, it is said, sent in money and made their pilgrimage to Davenport, returning home with "the little black box." In a few weeks many of the neurocalometers were on the shelf. Their custodians, nevertheless, were saddled with monthly payments.

Hostility toward "B. J." rose and rapidly welled into a maelstrom of indignation. It was widely supposed that he owned and completely controlled the invention, whose function threatened to displace palpation by hand. Here seemed nothing short of a betrayal of the faith as taught by "B. J." himself. Was the loyalty of thousands of disciples to be exploited? Was *chiro-praktikos* to lose its significance for all time?

To make matters worse, other nerve detectors began to appear on the market, and the salesmen of the surgical instrument manufacturers suddenly saw their field widened and on their desks a

* The leasing plan was possibly suggested by the career of the famous Abrams "oscilloclast," an appliance which had come into use among a few chiropractors as well as among physicians and surgeons.

galaxy of new and unfamiliar names as prospects.

Some of the rival mechanisms sold outright for only $100. "B. J." was then reported as saying that his machine could be made at this figure and still yield a profit. Into the offices of chiropractors came also the information that the head of Palmer School felt that the entire profession was under a moral obligation to him as its protagonist. He had bestowed a livelihood upon innumerable men and women; surely he was entitled to a consideration if he now aided them in increasing their revenues.

"Fountain Head" Shaken

Revolt was rampant in every city where chiropractic had a stronghold. Old allegiance was thrown into the discard. Denounced as sheer commercialism the "nerve detecting" contract shattered the good will of the majority of the Palmer graduates, and the domination of Davenport crumbled.

It is often said of Dr. B. J. Palmer that he is impervious to criticism, although he has more than once remarked in his lectures that "criticism kills." That he made no great effort to correct some of the false impressions indicates that the former assumption may be correct. The inside story of the neurocalometer, recently told by a prominent offi-

cer of the American Bureau of Chiropractic, accredits the invention to Dr. Doss Evans, an electrical engineer. It is said that "B. J." opposed the device at the start and never acquired any property interest in it; that the neurocalometer had been invented not at Palmer School but in Kansas City, Frank Elliott, D.C., aiding Dr. Evans in financing the manufacture and distribution. Dr. Elliott, a relative of Dr. Palmer, was business manager at Palmer School at the time the leasing offer was circulated, and is declared to have accepted a fifty per cent interest in the profits.

It is averred that "B. J." was not interested in selling the device, but was interested in the program involved, namely, that of establishing a new and uniform technic of diagnosis. It appears that after advocating the nerve-tester he realized that if the exceedingly delicate instrument were owned outright by the users, readings would differ in nearly every office. It was imperative not only that the neurocalometers should be kept in order but that they should all register correspondingly. Hence the course of instruction to chiropractors and the elaborate service facilities inaugurated.

Something of a reaction awoke among many of the lessees and a defense of "B. J.'s" policies salvaged more or less good will and many contracts,

so that the neurocalometer remained more than a mere fixture in most offices. In fact, neurocalometer clubs were formed, notably among schools managed by former Palmer graduates. Under the pressure of competition the price of this early mechanical intruder fell to $150 down and five dollars a month.

However, the angered chiropractors stopped sending students to the "Fountain Head," and from 1924 the enrollment at the Palmer School of Chiropractic diminished. Defection spread rapidly until the institution that had been a Mecca to so large a part of the profession was apparently doomed. The impressive million-dollar property on Brady Street extending for three city blocks, the largest of non-medical institutions, with its five-story administration building and roof garden, costing $200,000; its free clinics, its tower and sixteen-bell chimes, its halls, offices, laboratories, auditorium, memorial building; its osteological studio containing the greatest collection of skeletons and bones in the world, its walls with their endowment blocks bearing an eternal testimony of friendship from the chiropractic world—all faced the specter of the auction block. On the platform of the auditorium had appeared many a celebrity: Elbert Hubbard, Governor Henry Allen

White, William Jennings Bryan and others of equal renown. The dreams of the little fish dealer of What Cheer had come true. A wonderful monument had been reared in the name of a new science, whose benefits to mankind would transcend earthly knowledge. Now at the very hands of the disciples themselves was this monument to be overthrown! Gone would be the morale—the sentiment—of an entire profession! And to whose garret might go the bust of the discoverer, for which these rebellious children had once so lovingly subscribed the sum of $10,000?

A confidential letter came to a few graduates whose loyalty was unquestioned. Should the school be turned over to the profession—should "B. J." retire from the scene—should the work continue? The question came directly from the "Fountain Head." Many of the alumni convened for three days. "B. J." read a statement, retired and remained absent. His communication was to the effect that the school was being conducted at a loss, as figures presented therewith showed. The deliberations resulted in a resolution urging Dr. B. J. Palmer to remain as head of the school, and an advisory board of graduates was selected.

Under a fresh impetus the Palmer School of Chiropractic held to its work and retrieved a con-

siderable part of its patronage. Its prestige could not be entirely dethroned as long as it was able to function, for the upholders of the Palmer system remained legion and the old institution represented a nuclear energy, an inalienable factor in chiropractic history and growth. The decline of the school, however, was sufficient to cause a perceptible disintegration of standards. Concerted advancement throughout the profession was not only rendered more difficult, but chaotic rivalries sprang up in various parts of the country. New associations and unfamiliar leaderships came into existence, and with them numerous unfledged theories and methods of treatment. Out of this welter arose a side movement toward pan-therapy which seemed to threaten an eventual capitulation to medical authority. This departure from the fundamentals of the science is at the present time an outstanding cause of agitation in the ranks of the profession and is viewed as a left-wing demonstration by the conservatives. The danger from this extreme has tended to unite more closely the fundamentalist element of licensed chiropractors, who have always adhered to the principles enunciated by D. D. Palmer and have regarded any concession to medicinal treatment or surgery as undermining chiropractic.

Progress of Chiropractic

In 1906, three years after the establishment of the school at Davenport, there were approximately one hundred chiropractors active in the profession. In 1908 the number had at least quadrupled, certain estimates, however, placing the number at six hundred. At present there are in the United States 13,500 licensed chiropractors in authorized good standing, and almost as many more who are chiropractors in name only. California, one of the foremost states in the development of the science, has approximately one-fifth of the country's total of licensed doctors of chiropractic. It is estimated that there are in the world approximately 30,000 chiropractors, the foreign countries chiefly represented being Great Britain and Ireland, Canada, Germany, France, Spain, Italy, the Scandinavian countries, Portugal, Belgium, Australia, Czecho-Slovakia, Jugoslavia, New Zealand, the South American republics, India, China, Japan, the Philippines, Cuba, Greece and parts of Africa. In Hawaii the profession is well represented.

The record of accomplishment as presented by the Chiropractic Research and Review Service of Indianapolis is remarkably impressive. Complete recoveries are recorded in nearly 90,000 out of 100,000 cases, all having received a medical diag-

nosis prior to chiropractic attendance. The list includes practically all ordinary diseases and the names and addresses of patients are available for the purposes of corroboration. Relative to the treatment of the insane one chiropractic hospital reports sixty-five per cent of the cases as cured.

CHAPTER IV

Fundamentals

SINCE the days when Dr. D. D. Palmer began to demonstrate to students how the vertebrae could be moved, the outstanding change in chiropractic has been the virtual abandonment of the religious cognation, although other philosophic elements have been more or less preserved. Technic has altered but little, and theory holds to its original premises. The word disease has been abandoned. Abnormality or some equivalent term is used. This latter is a step forward from the founder's teachings. He had used the word disease freely. Follow his definition of it: "Disease is too much or not enough functionating"; again, "Disease is the result of liberating too much energy, or the retarding—lessening—of Innate stimulus. The former excites, the latter depresses vital force. The ordinary transformation of energy is health.. The modifying, or swaying, either way, above or below normal, is disease—augmentation or lessening of impulses and morbidity of tissue. . . .

As soon as nerves are made taut by pressure, just so soon they become tense; tensity changes the temperature; tensity modifies functions; abnormal temperature modifies tissue." Upon this premise the abandonment of the whole galaxy of Greek and Latin medical terms has taken place.

Orthodox biology, without changing facts, has assumed a new aspect under chiropractic reasoning. Tone, the basic principle of the science and philosophy of chiropractic, is declared requisite to all animal and vegetable life. It is described as that condition of a body or any of its parts in which the organic or animal functions are performed with the proper vigor. Biologically this implies a normal tension or firmness of the nerves, muscles and organs. The fibers of a plant are in normal tension under the right proportions of light, heat and moisture.

The orthodox idea of sickness has been derived from a belief that it is a foreign entity with power to attack the body, hence that something more potent than disease is required to combat it. The prehistoric origin of this view is deemed obvious. Because the bite of a poisonous snake resulted in sickness all sickness was the result of an exterior malevolence. Casting out devils, in the early Christian era, meant overcoming an evil influence usual-

ly manifested in bad temper or insanity. Witchcraft was recognized as late as the Seventeenth Century and still commands a following in all parts of the world. Under another guise it is paid homage among esoteric groups which carry thought transference to ultimate conclusions.

Chiropractic does not endow disease with any supernatural power. In fact it does not recognize disease in the prevailing sense of an invading enemy but as a disturbed condition. The chiropractor's patient consequently comes to understand that there is no invisible monster lodged in his vitals for the purpose of destroying him, but that there is simply a mal-condition. He feels less apprehension and therefore is minded to help competent nature exert its cure as nerve pressure is relieved—by opening up the pathway so that vital energy may be restored to every cell in the body. The chiropractor merely sets about to right the body so that it will function. Primarily concerned with subluxations he explains his task to the patient and does not permit mystery to enshroud his case. There is little chance of a sufferer becoming unconscious or being thrown into convulsions through fear.

In treating causes rather than effects chiropractic adopts the role of an exact science. Its de-

fenders aver that after many centuries of study, medical science on the other hand still remains in a state of empiricism. The point of view of the chiropractor is declared to be definite, his adjustment specific and the element of experiment almost totally lacking. The diagnosis and deductions of the physician are based on symptomatology. He seeks to arrest the abnormal manifestations or to reason backward and apply a remedy at the seat of trouble. Since various affections produce almost identical symptoms, this kind of tracing is held to be vastly more uncertain than nerve tracing and seldom leads to the actual source of the difficulty.

There is no part of the body which is not governed by the nervous system. In the lower forms of life the latter is represented by a spinal cord only. With the advancement of animal life a brain began to develop at the end of the spinal cord. In the backbone is contained the vital energy that is transmitted to the millions of cells in the body. It has taken as many millions of years to bring into being the marvelous human mechanism, in which perfect harmony and co-ordination depend upon an unimpaired and normal transmission of energy. Hippocrates, ancient healer of Greece, who was born about 460 B.C., discovered that there was an inherent healing power in the

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body. Aristotle (384-322 B.C.) contributed to anatomy his great discovery of the nerves, which he had observed in animals. Plato, his teacher, had expounded the theory that there was an *intelligent* life-sustaining force. These three fundamentals are considered as offering basis for an absolutely natural healing method, and chiropractic affirms that the nerves themselves, like delicate wires, are charged with this life-giving, life-preserving current; that communication between the brain and the various parts of the body must be uninterrupted and at normal power in order that health be maintained.

Chiropractic recognizes all the known facts of cell life and the physiological processes of the body in their entirety. It teaches that vital force—energy—is responsible for their maintenance and continued development. It is easier to maintain these processes than to develop them. The body can adapt itself to a rather wide range of conditions, depending upon the ability of the nerves to respond appropriately to the various demands of environment. There are in general only two conditions responsible for illness, namely: a degree of abnormity in any vicissitude beyond the bodily powers of adaptation, or, second, a mechanical derangement of such nature as to interfere with the trans-

mission of nervous energy from the tissues to the brain and from the brain to the organs and tissues. This energy is transmitted over pathways, traceable to certain points between the bony segments of the vertebral column, which, being flexible, under various conditions impinges upon or pinches the nerves, thus preventing the transmission of energy. In some instances the pressure is temporary and in others chronic as a result of fixation. Flexibility is due to the discs or elastic cartilages between the vertebrae, and the fixation or thinning of the discs causes impingement.

When these conditions arise, instead of a disease having attacked the body, they amount to a purely mechanical derangement which requires adjustment before normal functioning and organic integrity can be established. A study of the structures of the body discloses the fact that pressure on the nerves cannot occur elsewhere except temporarily, where it may be corrected by the natural adaptative powers of the tissues.

Nature being incapable of error, according to chiropractic, all that occurs in the body is natural. In addition to recognizing the chemical, mechanical and thermal elements involved in cell life and the human body, chiropractic in its corrective procedure views the human body as a machine

already perfect, or, at least, once perfect but having developed physical defects. It does not seek to give the body something that it is not intended to possess, but to enable it to do the work it should do. It regards the human body as the most wonderful of all machines, in which operates every principle known to mechanics, chemistry and thermatology.

Germ Theory

Chiropractic takes issue with medical science on the ground that the latter has not disclosed fundamental facts, as witnessed by its theories on infiltration, degeneration and necrosis; in fact, chiropractic rejects the entire medical theory of disease. The first aim of prevention it considers to be the maintenance of the powers of adaptation at their maximum; the first aim of cure the release of vital force, which is competent to meet every emergency. Germs are found to be merely the product of certain environments, as natural to a given condition as coconuts in the tropics or white foxes in the arctic. Fishes do not produce the pond. The germ is no factor in a failure to function, a maxim which induced the chiropractic doctors during the epidemic of influenza in 1918 to lose no time pursuing the pneumococcus but rather to deprive the

germ of its sustenance. Of 41,000 cases treated it is declared that only one death in a total of 1,800 was due to that condition termed pneumonia, despite the prevalence of the latter in a very large percentage of cases.

There are no biological grounds for assuming that a germ, say from a typhoid environment, upon entering a healthy body would dominate the new environment. Germs are produced by specific conditions, which when normal can resist invasion from a foreign abnormal source. The germ corresponds to the environment it feeds upon.

The alleged existence of persons called "germ carriers," who infect others without themselves being affected, is held as a thoroughly unscientific superstition. Were it true, physicians going from patient to patient would be the chief culprits in transmitting disease.

Persons disinclined to accept the simpler theories of chiropractic are very naturally skeptical as to its efficacy in dangerous illnesses, even where medical science has proved unreliable. The layman at once accepts the fact that an adjustment at the spine may cause some changes in nearby tissues, but it is difficult for him to believe that changes can take place in remote organs and in the extremities. The principle is more easily grasped

by visualizing the nervous system as an integral development. To the tiniest cells of the body lead nerves which supply the required energy. All come from the intervertebral foramen, through which the large nerve trunk passes from the spinal canal. The nerve branches do not lead directly to a particular region but are sent from the nerve trunks in various directions, sometimes meeting to feed the cells of the same tract, and becoming continually finer in their ramifications. No part of the body is entirely dependent upon one nerve branch for its innervation.

Muscular contraction near the spine is capable of compressing the cartilage of the vertebral column, which causes a drawing together of the bony ridges of the opening through which the nerve trunk emerges. The latter consequently receives a pressure which reduces its working surface and lessens the energy transmitted to the tissues. The only places in the entire body where pressure on nerve trunks can occur are at these openings where they leave the spine.

So marvelously intricate is this integral development of the nervous system that the remotest filaments, which terminate in the peripheral tissues, are invisible even under the microscope. When action in any part of this system is arrested a con-

dition known as stasis occurs. A complete occlusion of the nervous impulses results in paralysis. When cells are unable to function congestion results through the retention of fluids, and stimulation of the surrounding cells produces inflammation, which attracts nervous energy to the area and may or may not restore action. Should this inflammatory process succeed in restoring action to the cells, it will induce movement of the retained fluids, reduce congestion, and restore normal tone to the congested area. If the inflammatory process should not be successful, the congested tissues will disintegrate, beginning at a central point, and forming conditions variously identified in symptomotology according to area involved as, for instance, a boil, abscess, tumor or cancer. No matter how the symptoms are named, the condition, according to chiropractic, is the same. The differences are of degree only. The greater the area of involved tissue the weaker the response to nervous stimulation, until in chronic cases occurs a generally high temperature called fever, in contradistinction to local high temperature which is called inflammation. Inflammation resulting from "mechanical" stimulation is more acute when in a restricted area, owing to the presence of a larger area of healthy tissue, which is capable of greater

reaction. General inflammation or fever is therefore less acute.

Only One Abnormality

Chiropractic recognizes but one abnormality: improper innervation. The many symptoms, known as diseases, represent differences of degree in this abnormality, due in every case to excessive or diminished activity in the tissue. Familiar identifications mean little or nothing. The appellations tumor and whooping-cough have no more significance to chiropractic than wild asparagus has to the principles of agriculture. Health is the condition of normal innervation, which is the sole function of chiropractic to restore or produce.

Morbid conditions in tissue, which are due to abnormal supply of nerve energy, produce poisonous gases which may be carried through the vascular channels to manifest themselves in some distant part of the body. Gases passing through the circulation to the lungs leave deposits of carbon dioxide on the capillaries in the alveoli and carbonize the delicate tissues, thus preventing a proper oxygenation of the blood, which upon returning to the area of abnormality collects more poison and finds its way again to the alveoli of the lungs causing a congestion termed pneumonia. This latter condi-

tion, therefore, is secondary, and permanent relief depends upon the restoration of normal innervation in the morbid area.

Perfect health is present with normally functioning nerves and normally active tissues—muscular, mucous, fluid or osseous. The natural efforts of the body to eliminate waste tissues may eventually produce other subluxations and impingements, and the chiropractor is required to make palpations before adjustments in order to determine altered conditions. Increased stimulation and reflexes following adjustments must also be taken into account, but at all times the chiropractor is primarily concerned with nerve pressure.

It is maintained that medicinal remedies and external applications never cure morbid conditions, that in all cases of cure under such treatment the natural chemistry of the body has been responsible. Unless normal energizing has occurred relief will be only temporary and the symptoms will recur in the same or other tissues. The only exception is the immediate effect of wounds and other injuries caused by violence.

Cancer

The claims of chiropractic with respect to cancer are sensational. Mystery and horror has en-

veloped this condition since time immemorial. Cure has been declared impossible among the learned of the medical profession. The quest of the ravaging bacillus has constituted a leading epic in the history of pathology. No surer publicity stunt exists than an announcement that the germ or the cure has been discovered. Invariably the world hears no more of the discovery. Meanwhile the ineffectual butchery of sufferers continues.

The cause of cancer has already been discussed in the foregoing paragraphs. Medicine has described cancer as a growth, which is alleged to be misleading. Chiropractic declares it to be a degeneration of tissue, the characteristics of which are determined by the location and degree of impairment of the parts involved. Chiropractic has offered a theory which has been generally disregarded in a long and futile research, and has presented emphatically its claim for recognition in the relief and actual cure of the dread malady.

Dr. T. F. Ratledge, of Los Angeles, one of the most prominent chiropractors of the West, in the course of twenty years' study and research has sought governmental aid for the purpose of bringing to light additional facts concerning cancer. He considers that the entire truth about this abnormality is demonstrable. Discussing its characteris-

tics he has pointed out that the usual sites of cancer are those parts of the body most subject to the stress of function, but that it may develop in any tissue as a result of almost any form of injury. Only improperly innervated tissue is susceptible. The belief that cancer is a growth due to harmful extraneous influences is declared by Dr. Ratledge to be a hypothetical error. He pronounces the swelling to be a certain stage in the degeneration of tissue, and its degree largely influenced by oxygen deficiency.

It is easier to comprehend the importance of the nerves in maintaining vitality than to visualize their far-reaching influence. Various abnormalities in children are traceable to impingements on the nerves of their parents, as affecting cellular activity and predispositions to certain ailments. Adenoids, affections of the ears and nose and general head disturbances are largely due to the unnecessary force used by persons assisting at birth. Jerking of children by the head frequently causes impingements, and this is given as a cause in many cases where one eye has become deflected, as may appear from one to five years after birth. It is claimed that chiropractic has considerably minimized labor pains, save at ejection and after-birth. Subsequent operations on the mother due to tear-

ing of the tissues and what are called adhesions are said to have been obviated and vast economy in health and confinement costs made possible.

Chiropractic aid has been extended to many thousands of persons employed in sedentary occupations and unable to get sufficient exercise to keep up bodily tone. Nerve pressure of long duration acquired by habitually cramped positions during working hours has yielded to skilled adjustment. Constipation prevails in such environments and chronic intestinal trouble is exceedingly common.

But the more outstanding achievements of the new science naturally lie in the wide category of serious illnesses. When it is realized that by far the majority of sufferers have sought chiropractic as a last resort, some adequate idea may be had of the significance of its claims and the scope of its success. The years of thorough preparation now required of the student in chiropractic and the extent of scientific research throughout the profession attest a vastly higher grade of service than has been commonly supposed.

Vivisection has been found unnecessary for experimental purposes and considerable opposition to it was voiced by chiropractic influences in 1918. Discovering that they were losing friends in a conflict that had little bearing on their work or future,

chiropractors gradually withdrew from this slippery old arena of controversy.

In numerous instances chiropractic has been applied to animals with notably satisfactory results. Dogs have been tied and muzzled and their subluxations corrected, giving relief in several types of indispositions. Dr. K. T. Shea of Los Angeles in 1921 made an adjustment on a goat which had ruptured a blood vessel, causing its milk to be streaked with blood. The animal was placed over a saw horse and responded favorably to the treatment. Similar success attended adjustments on dogs for experimental study. Dr. Clarence De Marsa, of Los Angeles, tells of having given prompt relief to a dog whose hind legs had been paralyzed by a kick from a teamster which caused a spinal dislocation.*

*The foregoing presentation of the fundamentals is derived from statements generously contributed by Drs. K. T. Shea, T. F. Ratledge and James Compton, of Los Angeles.

CHAPTER V

Chiropractic *versus* Medicine

THE BONE OF CONTENTION between chiropractic and medicine has not changed materially since the first prosecutions at the Palmer school in 1903. "Practicing medicine without a license" has remained the obviously illogical basis of attack. Technicalities have secured judgments and penalties; equally they have provided defense. The contentions of chiropractic have taken root in "inalienable rights." In view of the constitutionally bestowed privileges of "life, liberty and the pursuit of happiness," the prosecuted continue to assert that the individual has too little to say as to how he or his next of kin shall be doctored—especially when life is at stake. They contend incidentally that medical laws are not vindicated by the fact of the ignorance of individuals as to their bodies and how properly to protect and preserve life. The appalling lack of information and a general credulity towards healing systems are deemed to have fostered the exploitation

of the afflicted, to the end that scientific progress and health have been terribly handicapped.

Chiropractors allude to the preternatural humbug of medieval alchemy, direct ancestor of allopathy, and declare it relatively not more preposterous than the empirical bigotry and abracadabra of medicine today. They cite the admission of medical doctors that there are less than ten curative specifics in all the pharmacopoeia, and maintain that the career of patent medicines and endless remedial impostures have engendered an increasing public distrust in the men and methods designated to guard human life.

Profiteering in birth and at death, and in the conduct of hospitals is pronounced a national stigma. It is authoritatively said that an expectant mother of average means can travel to Europe, pass through her confinement and return with her child at less expense and with probably greater safety than if she is treated at the average hospital of her own city.

The wholly inadequate hospital accommodations for afflicted persons of modest or scanty means is referred to as distressing and disgraceful, and the refusal of some hospitals to admit emergency cases, especially where such refusal may result in death, is declared inhuman and at total

variance with the medical gesture towards public health conservation. The recurring hospital scandals, involving cases of alleged brutality on the part of internes and nurses, surgical incompetency and even unsanitary conditions, are classed with the sensational investigations and reports of prison conditions.

With due credit to conscientious physicians, chiropractors point to such shortcomings and abuses as rendering the long attempted outlawry of chiropractors a preposterous spectacle, as unjust and misguided as it is un-American. It is contended that it would be far more appropriate, for example, to bar from practice the medical doctors responsible for the continued spread of the narcotic evil.

Prosecution

The prosecution of chiropractors began with chiropractic and has lasted to the present time. Even though today, according to well-known chiropractic authorities, nearly one-half of the so-called members of the profession are either unqualified to practice because of inadequate study or are justly included in the category of quacks, chiropractic's achievement is proclaimed as more impressive than that of the medical profession, and at the present time less experimental. The per-

centage of incompetents is held to be no greater than in any other profession. The history of its accomplishments in the face of severe opposition has proved impressive—sufficient to convert the great majority of legislatures before whom the rights of chiropractic have been presented. After relentless persecution for a generation, causing much imprisonment, actual martyrdom and impoverishment, the cause of chiropractic is deemed to be vindicated, as witnessed by thirty-nine states of the Union now according its representatives the right to practice.

The first to go to jail for the cause was its founder, Dr. D. D. Palmer. Dr. Willard Carver, of Oklahoma City, one of the leaders of the profession, also served time for his faith. The crusade against the pioneers began under allegations of illegal practice, and was continued through non-recognition of the science of chiropractic or, in many cases, because of outright charlatanry, and generally with a complete disdain for any accruing benefits. Chiropractors have never practiced medicine and the conservatives are opposed to its use under any circumstances. They have never made concessions to medicine, nor conceded to medicine and surgery that value given by osteopaths. They have not professed even to be healers,

for their fundamental theory is that only nature is competent to effect healing, and spinal adjustments are intended solely to release natural forces. They address themselves to the spine and not to the disease—a defense not usually convincing to the court, however. In any case the possibilities of harmful results are declared to be infinitely small in comparison with surgery and medicine. The fact that patients have increased rapidly in number testifies to successful and important service. But because allopathic standards have claimed preservation at all costs, and because chiropractic diploma mills have flourished and charlatans embraced the cause, ergo all of chiropractic must be condemned and destroyed. As prejudice lay at the bottom of the persecution, so lack of foresight in the job of prosecuting eventually tended to strengthen the chiropractic sinews.

High Cost of Health

During the year 1930 the comment concerning medical fees and the high cost of health began to threaten a national scandal. It was taken up by many of the principal newspapers and periodicals of the country, voicing not merely the protest of chiropractic but that of the general public.

Dr. Shirley W. Wynne, Health Commissioner

of New York, is quoted as declaring in New York on November 12, 1930, in the presence of board members of the Public Health and Nursing Service, representing six states: "The white collared class is receiving poor medical service at an exorbitant cost. . . . The solution of the problem lies either with the doctors organizing among themselves to supply qualified service at a fixed fee, or a public demand for state medicine."

However pertinent the criticism of medical service, the culminating suggestion of "state medicine" still more clearly sounded the tocsin so familiar to the chiropractic ear. Assuredly inconsistent, it seemed, that the shortcomings of medicine should particularly require its legal enthronement. Already the New York commissioner had become the target of the chiropractic press and his own medical colleagues as well, many of the latter taking exception on ethical grounds to a testimonial written for a toothpaste. His providing the New York *Herald-Tribune* with a "rogues gallery of quacks" seems to have been an effort to discountenance all drugless healers, and actuated by the same motive as his attempt to establish a radio censorship that would exclude all broadcasting that might run counter to medical policies. But the proposed alternative of state medicine reaching the press of

the nation was the chief danger signal. The influence of the New York commissioner was considerable, however his ethics might be deplored by the New York County Medical Society. There was the precedent of former Health Commissioner Royal S. Copeland, who had been elected to the United States Senate in 1922 and 1928. The bridge between medical and political authority has a short span, and Washington gives ready ear to New York sentiments. Indeed something of a crisis in the world of drugless healing is predicted in chiropractic journals.

Medical issues so prominently aired in New York illustrate the general trend of conflict over the question of drugs. *Materia medica* had been placed on the defensive. Dr. Wynne's condemnation of high medical fees and his suggestion that physicians and surgeons advertise their prices, to the discouragement of fee-splitting and the disparagement of ethics, proved a bombshell for his constituents and perhaps a boon to chiropractic. The latter, at least, had not reached that exalted professional plane where profiteering occurs.

Vaccines and Serums

The political foothold gained by the medical fraternity lies in public health service. It has been

helped by richly endowed medical foundations, and by the prestige of war surgery and universal vaccination. Chiropractic, opposed to the use of vaccines and serums, as well as to all medicine, centers its attack upon compulsory examination and treatment, i voking the constitutional rights of the individual. It views public health service, as advocated by the medical fraternity up to the present time, less of a humanitarian task than one calculated to perpetuate allopathy and to increase medical revenues by the general adoption of laws requiring allegedly specific preventive measures, such as for example inoculations. Its leaders have attributed the wide use of serums largely to the propaganda of their manufacturers, and to some extent the subsidizing of medical offices.

Chiropractic has not rested its opinions regarding bacteria and serums solely upon the statements of its own people. Many prominent authorities have been quoted from time to time, including scientists and physicians of world renown. Dr. Antoine Bechamp, professor of medicine, chemistry and pharmacy at the University of Montpellier, France, declared that germs are the concomitant effect, not the pathogenic cause, of disease, and act as friendly scavengers. Other opponents of the Pasteur theory are said to include doctors Sir Henry

Maudesley, Sir Lawson Tait, Henry Bastian, Charles Stirling Saunder, H. Fergie Woods, Reginald Austin and Herbert Snow. The chiropractor explains the general adherence to the theory that the bacterium is a disease-producing invader as due to a professional desire to further the use of preventive remedies.

Dr. Philip Ricord told the French Academy, of which he was a member, that vaccine spread syphilis. Cowpox, the source of vaccine, is said to have been declared analagous to syphilis in man by such eminent English physicians as Sir Charles Creighton, Dr. Benjamin Ward Richardson, Dr. Edgar M. Crookshank, Sir William Collins, Dr. James J. Garth Wilkinson, Dr. Robert Bell, Dr. Herbert Snow and Dr. William Scott Tebb. Dr. Creighton called vaccination "a grotesque superstition," and Dr. Wilkinson referred to the practice as "blood assassination." Dr. Caron, a prominent French physician, declined at all times to vaccinate. Herbert Spencer, John Stuart Mill and Alfred Russell Wallace denounced vaccination, the latter proclaiming it "a stupendous delusion and its enforcement a crime."

The origin of vaccination has been widely ridiculed — as traced from the country pharmacist Jenner, who circulated the rumor that anyone who

had taken cowpox could never have smallpox.

"The solemn gesture of protecting public health" incited Sir William Arbuthnot Lane, physician to the King of England, to utterances, which, it is said, prevented his being invited to address the members of the American Society for Control of Cancer Propaganda. Among the startling statements of the distinguished visitor was the following: "We have been studying germs and test-tubes when we should have been studying diet and drainage." This surgeon of London's best hospitals betrayed heresy over the germ doctrine by saying "There is but one cause of disease—poison, toxemia, most of which is created in the body by faulty living habits and faulty elimination." It was mainly his mention of carrots and cabbages as a preventive and possibly a cure for cancer which made him unpopular with the society for cancer control.

Chiropractors and other groups opposed to the employment of antitoxins have brought to light the numerous cases of anaphylaxis, or the dangerous reaction possible from toxin-antitoxin injections. Medical publications name other cases. Sixty-two deaths from this cause are reported in detail in the *Journal of the American Medical Association*, April 5, 1924, pages 1093—1098. In an

issue of January, 1926, seven cases are discussed by Dr. Chester A. Stewart.

Voicing the suspicion that "the hand that rocks the vaccine factory is the hand that rocks the medical profession" on the part of Dr. J. F. Baldwin resulted in his ouster from the presidency of the Ohio State Medical Society.

The immunity chances indicated by the sponsors of serum treatment appear unimpressive, say the doctors of chiropractic. This particularly applies to diphtheria, considering the fact that the estimated expectancy of diphtheria per 1,000 inhabitants in the United States is only 1.3, according to the United States Public Health Reports of November 21, 1924.

The Neglected Spine

Alfred Walton, M.D., graduate of Harvard in 1879, former president and chief of the surgical division of Essex County Hospital, New Jersey, and corresponding fellow of the Maine Academy of Medicine, is quoted by James Compton, D.C., former secretary of the California State Board of Chiropractors, in *The California Telegram*, of April 27, 1922, as follows:

"As incomprehensible as it may appear, the medical profession is woefully deficient in knowl-

edge of the spine, and its importance in the treatment of disease. Men of scholarly learning, and of true scientific discernment, have investigated with great patience every conceivable avenue of research bearing upon the cause of disease, but the importance of vertebral displacement, as a causative factor, has been ignored or greatly underestimated.

"The principal reason for this deplorable situation is to be found in the fact that anatomical instructors have discouraged dissection of the spine. Medical students have not only been permitted but have been required to make more or less careful dissection of other parts of the body—arms, legs, head, etc., but all the medical men I have ever talked with concerning the subject, without exception, acknowledged they were not required to dissect spines."

Herein lies one of the many causes of resentment on the part of chiropractors, whose study of the vertebral column and nerves emanating therefrom covers a period of three or four years, in view of which it is regarded as preposterous that their credentials should be determined by doctors of medicine.

Dr. Compton also quotes Richard C. Cabot, M.D., head of the Massachusetts General Hospital and author of a well-known work on diagnosis, as

saying publicly that but fifty-three per cent of the diagnoses at his hospital were correct. Dr. Compton raised the question as to the average of the ordinary physician, considering that so distinguished an institution erred in judging the nature of forty-seven per cent of its cases.

This chiropractor recalls the sensational decree of the Bavarian Royal College of Physicians while opposing the building of railroads, to the effect that rapid travel would give the people brain disease, and further alludes to the banishment of Harvey, physician extraordinary to the King of England, for saying that the blood did not stand still in the arteries. Dr. Compton reminds us that as late as 1842 bathing in bathtubs was condemned as injurious, that in that year in some European cities a physician's prescription was required.

Such is the caliber of facts brought to bear against the entrenchment of medicine in the citadels of state. The activities of the American Medical Association with headquarters in Chicago and powerful contacts at the national capital and in New York are met with counter-propaganda from those groups opposed to the use of drugs. The conflict is an old one, grown sharper in late years by the vast increase in the number of supporters of manipulative and mental healing methods. Con-

siderably more than a century ago Dr. Benjamin Rush, signer of the Declaration of Independence, wrote as follows: "The Constitution of this Republic should make provision for medical freedom as well as religious freedom. To restrict the art of healing to one class of men and deny equal privileges to others will constitute the Bastile of medical science. All such laws are un-American and despotic. They are fragments of monarchy and have no place in a republic." The famous journalist, W. T. Stead, declared that of all individuals, the physician and the priest, should have no arbitrary control over the person, by law or otherwise, and that owing to the more intimate relationship between doctor and patient than between pastor and communicant the doctor's arbitrary power was the most to be feared.

Entrenchment of Medicine

The passage by Congress in 1930 of the Ransdell Bill, appropriating $10,000,000 for medical purposes, the Jones-Parker Bill for co-ordinating the activities and enlarging the powers of the United States Public Health Service, and the Harris Cancer Bill, occasioned regret and more or less consternation on the part of anti-medical forces, to whom this governmental recognition seemed an

epochal advance in orthodox healing at a period when drugs had become widely unpopular. The Jones-Parker Bill had come before President Coolidge during his administration, and he had vetoed it on the ground that "it gave a military status to men supposed to be engaged in scientific research." President Hoover, although ordinarily somewhat less orthodox in his beliefs than his predecessor, took a different view, seeming in opinion of chiropractors to cement further the union between state and medical authorities.

In Europe as well as America it has been evident that courts and legislators, but for the intervention of medical authorities, in the vast majority of cases are disposed to favor chiropractic, and, indeed, despite this intervention, have very generally acceded to the claims of the latter. No more concrete evidence of this attitude exists than in the case of People *vs.* Love, 298 Illinois, 304, where the opinion of the Illinois Supreme Court is as follows:

"It is not the province of the courts to extol or belittle chiropractic, osteopathy or medicine and surgery. They are now all established as useful professions, and as time has progressed it has been thoroughly demonstrated that all of them have accomplished, and all are daily accomplishing, the relief and cure of human ailments.

"Constantly comes proof before the courts that chiropractic does enable the chiropractor to relieve and cure many of the ailments of human beings, and that the practice of this science is in no way deleterious to the human body. That is the proof in this record."

The decision, as further quoted by Norman E. Malcolm, former city attorney of Palo Alto and president of the Chiropractic Defenders' League of California, which battled for the successful chiropractic initiative in 1922, proceeds to declare it proper to consider chiropractic as a useful and lawful business, science or profession, and as such, "property," within the meaning of the constitutional provision as to due process of law, and included in the right of liberty and the pursuit of happiness. It pronounced as arbitrary and unreasonable the requirement that letters of recommendation from two medical men accompany application for a license on the part of a chiropractor, and declared the Illinois Medical Act unconstitutional.

Medical Jurisdiction

The right of medical boards to regulate chiropractic has been denied time and again by high legal opinion. Judge Lansden of the Supreme Court of Tennessee in 1920 handed down this decision:

The Court thinks that Chiropractors cannot be classed along with charlatans and fakirs. It is a well-developed system of healing, recognized in many jurisdictions, and many believe in its efficacy.

It is not suggested on the record that the practice of Chiropractic is in any way deleterious to the human body. Our statutes undertake to provide that no one shall practice the healing art until he has been examined by our various Boards and duly licensed. As a condition to obtaining license, the applicant must pursue a course of study covering many subjects. Chiropractors have no occasion to apply much of this learning.

The Court is of the opinion that since their treatments are not shown to be injurious to anybody—they do not give medicine, operate, or subject the body to injurious manipulation—*the requirement that they study and be examined on subjects in no way pertaining to their occupation is an arbitrary and unreasonable attempt to restrict their liberties and the liberty of the people who wish to patronize them.**

Such regulation has no reasonable tendency to promote the public safety and welfare. The Court recognizes fully the power of the Legislature to regulate the practice of Chiropractic by appropriate legislation. A Board may be created to do this, or the present Board empowered to regulate this profession under suitable regulations. An innocent business, however, *cannot be prohibited under the guise of regulation.**

Our statutes, therefore, if they may be said to prohibit the practice of Chiropractic, are invalid to this extent.

The *Journal of the American Medical Association* and *Hygeia* have persistently attacked chiro-

* Italics introduced.

practic and osteopathy, along with various healing cults. Other monthly magazines with a national circulation have from time to time joined the onslaught, prompted to some extent by an organization known as Friends of Medical Progress.*

In the case of chiropractic the prevailing criticism has been that the theory of spinal subluxations is incorrect and that adjustments, if actually accomplished, are of doubtful importance and seldom give lasting benefit to the patient. Considerably more heat is displayed on the subject of germs and serums, where the opposing views are irreconcilable. Much capital has been made of the horde of adventurers who hoisted the chiropractic shingle during the early years of professional effort.

War on Cults

Dr. Morris Fishbein, editor of the two organs of the medical association above named, has been chief assailant of the curative systems not allied with allopathy. The publication of his *Medical Follies*, following the work of the Frothingham investigating committee in Boston in 1922, helped to foment the ill humors of the drugless healing issue, which for a generation had been developing

* Formed in Boston, 1923. The name later became The American Association for Medical Progress.

in every community of the United States and had become the chief note of alarm in the medical journals of the country. Notwithstanding a growing tolerance toward mental treatment and osteopathy on the part of medical doctors, Dr. Fishbein, as spokesman for the American Medical Association, has vehemently denounced all rival systems, categorically repudiating the principle of elective treatment. At the annual congress of the American Medical Association in February, 1930, he advocated combining the powers of the state medical examiners into a federal licensing board.

In the midst of its long war on nostrums, the medical fraternity found itself faced with a serious defection caused by healing cults. Hundreds of thousands of persons of every age had adopted Christian Science, osteopathy, chiropractic, New Thought and other non-medical methods. Even psycho-analysis loomed as a possible adversary. The number of persons who had abandoned medicine was estimated at forty millions in an article appearing in the *Journal* of the Michigan State Medical Society, August, 1923. In December of that year Dr. E. C. Levy, director of public welfare at Richmond, Virginia, stated in an address printed in the *American Journal of Public Health:* "In spite of the fact that regular medical practice today is com-

paratively superior to what it has ever been, nevertheless there has never been a time when the people had less confidence in it." Dr. George F. Butler, president of the Rockefeller Foundation, told the lay members of the American Association for Medical Progress on the occasion of its first meeting: "The world has been waiting for this society, and it must be backed to the limit, or the medical profession in this country will be swamped by the cults and societies ranged against it."

More than a mere idle disaffection on the part of the public was apparent, for an active propaganda against medicine existed. Every utterance of physicians that could be construed as adversely critical to the medical profession seemed to be seized as evidence, to find publicity in *Physical Culture*, the journals of chiropractic and osteopathy and other printed mediums as well as through the spoken lectures of mental healers. When such eminent physicians as Dr. William Osler and Dr. Richard C. Cabot declared drugs for the most part worthless,*

* "Most drugs have no curative effect whatever on the diseases for which they are administered."—*Modern Medicine*, by William Osler. Dr. Cabot of Harvard Medical School is accredited with the statement: "Every educated physician knows that most diseases are not appreciably helped by drugs." Dr. Osler further states: "We do not now feel under obligation to give any drugs at all, except where the patient's attitude, or the attitude of his family makes its expedient, in order to create in him the buoyant expectancy which is the real curative agent."

the medical profession appeared to be threatened by disruption from within.

"A rapidly growing recognition upon the part of physicians generally that it is a waste of effort to attempt to compel the people to accept 'regular' medical treatment if they regard some other form of treatment as more efficacious" is the cause given by the Citizens' Medical Reference Bureau of New York for the failure of the twenty years' "purely scientific program" forced on the people. The latter quote is from Dr. Irving Arthur, whose address at the instance of the Gibson County Medical Society was published in the Indiana State Medical Association *Journal*.

"It is generally conceded that the medical profession is losing its grip upon the people," said Dr. Arthur. "Our medical laws are being repudiated by trial juries, and state legislators refuse to enact more stringent laws to regulate the healing art. The people of California by popular vote have refused to recognize the medical practice act of that state. . . .

"The people of this country are demanding of the medical profession something more than shaking up test tubes and looking through microscopes. The thing that they demand most of all when they

are sick is service, and if they cannot get it from the medical profession they will get it somewhere else."*

Other signs of dissension became evident with the increase of publicity about the perils of vaccines and tonsillar operations. The accusers were joined by many medical men. The anti-vivisectionists likewise found support among physicians and surgeons, among whom Dr. Forbes Winslow authoritatively denounced the wholesale killing and torture of animals in the laboratories as useless and barbarous.

In England the defection from medicine has rapidly increased. The *Illustrated Daily News* of Los Angeles, in its issue of December 31, 1930, published a significant letter from the *807-year-old* Royal Hospital of St. Bartholomew, London, asking financial aid. The letterhead bore the legend "Patron: H.M. The King. President: H.R.H. The Prince of Wales, K.G.," and, in part, stated:

"This Christmas, our South Block with 210 beds will be empty. Closed for the first time in 200 years, this block, long since obsolete and unsuited to modern medical requirements, cannot be again brought into service until funds are forth-

* *Niagara Falls (N. Y.) Gazette*, of December 11, 1929.

coming for its reconstruction. But, first, the burdensome debt of 90,000 pounds still remaining on our new surgical block, with its six modern major operation theatre suits, must be discharged.

"Thus our mother hospital of the English-speaking nations, with its unparalleled record of pioneers in medical progress . . . is compelled for the first time in its 807 years' history, to make a universal call for help."

Propaganda

Who is the defender and who the aggressor is often a problem which entails a study of original rights. That the waxing efforts of the medical authorities to educate the public through health crusades were largely actuated by motives of defense is the opinion of the most impartial critics. Mrs. Annie Riley Hale, who is not at all impartial, in her denunciatory book, *These Cults*, refers to the American Medical Association as "the most colossal, the most all-inclusive publicity machine ever known." Apropos of this opinion appear reports by Dr. Ray G. Hulbert of Chicago, chairman of the Osteopathic Publicity Committee, in the *Journal* of the American Osteopathic Association, issues of January, February and March, 1925. These re-

veal the scope of medical propaganda and echo the challenge so widely sounded among chiropractic and osteopathic periodicals. In part the statement is as follows:

Medical "education" of the public is progressing fast. The plans of the American Medical Association are growing more numerous, more complicated, more efficient. There is no use trying to stop them. We could adopt some of them to advantage. Some of the propaganda is misleading, false, sinister. To a certain extent, we can oppose and thwart these parts of it. No matter what we mean to do about the campaign as a whole, or its various details, we need to know the facts.

The A. M. A. maintains a far-flung battle line, fighting both offensively and defensively. State societies are supplementing its work. Health officers and health boards of states, counties, and cities are doing their part. Individual physicians are fighting in the ranks, in accordance with the plans of various organizations. Others are doing free lance work by supplying newspapers with syndicated "health" columns, writing books and pamphlets.

And some are using guerilla tactics, writing and lecturing against "irregular" methods and practitioners. Most of these pay scant attention to facts or truth. The secretaries of the California and the Colorado medical examining boards have been urging for several years "a constructive, educational campaign" in self-defense against chiropractors and others who were encroaching too fast. . . .

At the 1921 Convention of the A. M. A., the speaker of the house of delegates made a strong plea for *impersonal* medi-

cal publicity, and detailed several plans which he considered practical for the organization to undertake. The president of the A. M. A. spoke for the idea, as did other leaders. Many medical magazines published favorable editorials. By 1922, the speaker of the A. M. A. house of delegates advocated the appropriation of $75,000 to defray the expenses of an active and constructive plan of public health education. He urged action. He mentioned "the demand, the need, the urgency for the discontinuance of further temporizing methods," etc. . . .

In another year *Hygeia* was launched and carrying the message of the allopaths into the homes and schools of the nation. Abstracts of articles in this magazine are supplied to newspapers all over the country, linking the thought of health with the thought of allopathic methods wherever possible. Every school superintendent in the United States has been or is to be circularized on *Hygeia* as a school proposition. School officials of New York City circulated 28,000 copies of one issue to their teachers. The A. M. A. took advantage of the recent flurry over physical examinations of school children in Chicago, to stimulate the circulation of *Hygeia* among people interested in schools everywhere. In at least one State, it is reported that *Hygeia* is being sent to all members of the Legislature. This is probably the case wherever legislative fights are in prospect. These are only samples of the ramifications of effort to advertise and boost the methods and theories of Allopathy.

Opponents of medicine have been quick to declare such medical propaganda to be indirect advertising calculated to benefit medical doctors fi-

nancially, and thus completely at variance with the medical code of ethics which forbids indirect advertising.*

A more drastic criticism of organized medicine appears in the *C. C. A. Bulletin* of March, 1930, under the title "The Medical Menace." This is the organ of the California Chiropractic Association.

In most every state and place where chiropractic has earned and secured legal recognition, it has been compelled to overcome the effect of organized medicine. In California, after many weary years of legislative effort, preceded by persecution that the founders of our democracy never anticipated, the pioneers were compelled to turn to the direct vote of the public for some semblance of justice and fair play, and thereby secured legal recognition that politicians are not always at liberty to grant.

The cost in dollars actually spent was far in excess of a hundred thousand. The time and effort devoted to this stupendous task by Chiropractors and their friends can never be computed. Yet those fundamental and economic enemies of Chiropractic are not content to abide by the decision of the people, and are attempting in devious ways, to accomplish their desires for the extermination of Chiropractic.

Many States have had Chiropractic laws that were equitable only in part for Chiropractors and humanity. And many of the youngest Chiropractors have seen those laws and the will of the people swept aside by clever political lobby-

* "It is equally unprofessional to procure patients by indirection, by indirect advertising, or by furnishing or inspiring newspaper or magazine comments, concerning cases in which the physician has been or is concerned."—*Principles of Medical Ethics.*

ing of the medical interests, augmented by the enormous profits from the sale of dope, or medicine, whichever you choose to call it, and which is at this moment slaying over forty per cent of those who should be most conversant with its potency.

When a direct attack on Chiropractic laws was interpreted and combated by public opinion, these medical Gauls instituted a basic science, a board of regents, board of educational standards or what have you, to becloud the issues in order to hide from the public gaze designs that are selfish and little less than murderous.

In California one of those monstrosities was provided, not to determine the essential value of Chiropractic or other healing methods to the citizens of our great commonwealth, but to try to accomplish what all the medical-political forces failed to do in November, 1922, namely a "Board of Vocational Standards." But sad to relate this even was not capable of reaching and strangling Chiropractic, because the State constitution provides that an initiative act by the vote of the people cannot be changed or altered by any legislative enactment. And what the medical forces failed to realize when they ordered their chore-boys to provide this "board of vocational standards" was that a legislative enactment could not change the *intent* of our law. Therefore, unlike our people, in that they are never tiring in their efforts to gain that to which they have no right, they set about pledging their hirelings to a revision of our State constitution. For by this means they are assured of success in reaching and accomplishing the nullification of the Chiropractic law.

Certain it is that if the California Chiropractic initiative can be destroyed nothing is impossible to these traducers of right and justice. And certain it is that they will accom-

plish their ultimate aim if their secret agents by trick or device can fill the mouths and minds of sufficient of our fellow Chiropractors with the propaganda that everything is well with Chiropractic in California. . . .

The foregoing is cited as an example of the many bitter denunciations directed at the medical profession. Between antagonistic groups devoted to the preservation of human life are thundered accusations of a virulence more political than professional. Scarcely an issue of any of the score of chiropractic journals but resounds with protest and censure. The year 1930, while bringing new hope to American chiropractors because of the amalgamation of large organizations and a general strengthening of the united front, nevertheless held in store sensational disappointments such as the passage of the before-mentioned Ransdell Bill, the Jones-Parker Bill and the Harris Cancer Bill. The Rockefeller contribution of a million dollars for negro hospitals, the appropriation of $15,980,000 for the United States Veterans' Hospital program, and state projects involving $8,000,000 for veterans' hospitals, while not one dollar was in evidence for the building of chiropractic sanitariums, occasioned scornful comment in the chiropractic press.

Disintegration

August Andrew Erz, in his forthright little book, *The Verdict of Science on Chiropractic,** predicts the doom of official medicine. He declares the house of medicine is divided against itself and in the last stage of disintegration; that modern medicine amounts to a conglomeration of medicalized cults, each insisting upon special therapeutic claims. Among these he indicates "the drug and knife cult," the dietetists, vaccination, innoculation, serum, antitoxin, organo-therapy, vivisection, gland transplantation, hydro-, electro-, radio-, and mechano-therapy cults, forming minor divisions of the "main sects": the allopathic, homeopathic, eclectic and physio-medical. After referring to the medical trust engaged in the manufacture of drugs, serums, surgical instruments, etc., Dr. Erz observes, that when a profession enjoys the monopoly of the healing art, then feels authority dwindling, all sorts of despicable expedients are practiced. He declares the insincerity of official medicine betrayed by the tactics employed in opposition to chiropractic. "State medicine" he pronounces an outlandish institution as repugnant to the American mind as "state church." This critic

* Burrau of Special Research, San Francisco, 1925.

maintains that medical officials have no more right to examine the fitness of chiropractors than Catholic theologians would have over candidates for the Protestant ministry. He declares medical doctors unqualified to decide upon chiropractors, because in the first place they have only contempt for chiropractic, and second, they usually know nothing of the principles of chiropractic. He pronounces the examination by doctors of medicine "a farce and humbug," since the questions put to applicants have nothing to do with chiropractic but to general subjects unrelated thereto, and the certificates issued entitle the bearers to practice any method of drugless healing. Reference, of course, is made to conditions in states where no special board of chiropractic examiners exists.

Chiropractors who have sought credentials at the hands of medical boards have met with severe condemnation by their colleagues, and, as a rule, wherever the profession is represented extensively by men and women who have thus received their licenses, organization has lacked cohesiveness and considerable friction has been in evidence.

Against the medical charges of incompetency, illegitimacy and the employment of unscientific methods, chiropractic has imposed a formidable defense. In upholding the constitutional rights of

the individual a direct challenge to the authority of medicine has been issued. The war has been waged over fundamentals. Chiropractic as invader and not secessionist, has strengthened its claim by raising a question of title. Without heritage of gain but with new weapons and an unknown standard, it has summoned all disbelievers to aid its cause on promise of a better wage of health. In eighteen years all states but a small group have admitted the newcomer and acknowledged in some degree his right to compete in the great arena of public recognition. The fact of traditional errors in medical practice, perennial contradictions, and the inherent uncertainties of all healing, but most of all, concretely, a widely growing prejudice against drugs, have accounted for much of the indulgence shown the chiropractor. Less amenable than the osteopath to medical authority, yet he has profited by the status of osteopathy, won mainly through concessions which chiropractors are now able to refuse. But the conflict between the extremely antagonistic theories of allopathy and chiropractic is far from being ended, since actual autonomy exists as yet in less than half of the states of the Union.

CHAPTER VI

How Chiropractic Stands in Various States of the Union

CHIROPRACTIC has attained a general varied recognition and is practiced throughout the United States. The first law giving recognition and autonomy to chiropractic was passed in Kansas in 1913. Its provisions did not become effective for many months, so that Arkansas, where subsequent legislation had occurred, was the first state actually to issue licenses to chiropractors.

With respect to the similarity of their laws covering the practice of chiropractic, the states of the Union may be divided into five groups. In the following twenty-three states the chiropractic profession is permitted to govern its own affairs, although the laws differ in their requirements: Arizona, California, Florida, Georgia, Idaho, Iowa, Kansas, Kentucky, Maine, Maryland, Missouri, Montana, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Vermont and Wyoming.

In six states applicants for chiropractic licenses are required at the instance of medical boards to pass examinations in the "basic sciences," such as physiology, anatomy, pathology and chemistry, and in some instances bacteriology, diagnosis, toxicology, etc., as interpreted medically. This law has tended to exclude the majority of chiropractors, osteopaths, sanipractors and drugless physicians. The states where it is enforced are Arkansas, Connecticut, Minnesota, Nebraska, Washington and Wisconsin. It obtains also in the District of Columbia. In eight states no recognition of chiropractic exists, namely: Alabama, Delaware, Massachusetts, Mississippi, New York, Pennsylvania, South Carolina and Texas. In four of these states, Alabama, Delaware, Mississippi and South Carolina, chiropractors are allowed to practice by virtue of the fact that the medical laws contain no provisions by which the pursuit of their calling is construed as being the practice of medicine. Massachusetts, New York, Pennsylvania and Texas are considered as "open states," affording at least a theoretical immunity, but through court applications and technicalities a chiropractor is frequently adjudged to practice medicine.

Five states have mixed boards of examiners, the physicians outnumbering the chiropractors. Not

only must the applicant prove conversant with the principles of chiropractic science, art and philosophy, as medically interpreted, but he must also pass an examination in some exclusively medical subjects. It is therefore difficult to get a license in these states: Indiana, New Jersey, Ohio, Rhode Island and West Virginia, and many chiropractors refuse to observe the requirements. New Jersey had a chiropractic examining board about 1922, but the law providing for it was repealed through the efforts of the medical organization. In Indiana a single chiropractor sits with the medical board and the requirements are sufficiently difficult to cause it to be regarded as a closed state.

Four states, Colorado, Illinois, Michigan and Virginia, grant licenses through medical boards upon chiropractic credentials. In Colorado if an applicant proves graduation from a recognized, reputable, legally chartered college of chiropractic providing a course of not less than three years, a license is issued. There is co-operation between the medical boards and chiropractic associations in these states, the examining boards of the chiropractic associations making recommendations to the medical boards. However, notably in Illinois, evasion and outlawry exist, militating against chiropractic standards.

Utah has a board of chiropractic examiners appointed by the governor and superintended by a state bureau of licensure. Examinations are held twice a year. Conditions are not deemed favorable and it is believed that there are not more than thirty chiropractors in the entire state.

Louisiana Restrictions

In Louisiana so drastic are the restrictions that at the present time the profession is barely represented within its boundaries. The state constitution declares that any person who diagnoses or treats or attempts to cure any disease or deformity of any human being by any method or modality or other means shall be considered as practicing medicine and must secure a license from the state board of medical examiners in order to so practice. In addition, the medical law states that the court shall issue an injunction of both temporary and permanent nature in event of the violation of the act. The Supreme Court of Louisiana and the United States Supreme Court (State *vs.* Walter W. Fife, 1927) have held the practice of chiropractic to constitute the practice of medicine within the meaning of this act.

If a chiropractor opens an office in Louisiana he is arrested and jailed without trial upon the com-

plaint of any person to the court, parish or district, and the court is compelled under the decision of the two higher courts to issue a temporary injunction. If the chiropractor sees fit to adhere to the ruling a date is set for a hearing to determine if the injunction shall be made permanent. If the defendant persists in practicing he is imprisoned for contempt of court. The law has been rigidly enforced for many years. Dr. Harry Gallaher, secretary of the International Chiropractic Congress, was arrested twenty-seven times between 1914 and 1919. He was the only chiropractor who succeeded in remaining in the state for such a period of time.

A survey of the five groups of states, which do not include the separately considered Utah and Louisiana, indicates that chiropractic is more strongly established in the West and South, although six of the central states give full recognition. In the East the position is weakest; however, four states, of which three are in New England, have accorded full recognition. Autonomy exists throughout the Pacific and Mountain states, with the exception of Washington, where the "basic science" law is in force.

The uphill fight of chiropractic—assailed continuously on all sides, weakened by disaffection,

apathy and discord, betrayed by its mercenaries and almost overwhelmed by strongly entrenched opposition—from its earliest days has been one of the most extraordinary conflicts in the annals of science. Its victory is far from complete. Though its standards have been fixed on many an eminence, the battle still rages on far-distant fronts. New York, Ohio and Texas continue to reveal a perennial battle—small groups, half-organized and poorly equipped being engaged in a guerilla warfare against a mighty legion.

The conflict throughout America has been much the same. To glimpse the career of chiropractic in a few representative states is to understand its life struggle.

The Oklahoma Contest

Oklahoma presents a chiropractic autonomy and freedom from interference unexceeded by any of the twenty-three states mentioned in the same category. Recognition was won in 1921 after fourteen years of effort, much of which was directed against discriminative legislation that encouraged outlawry.

In 1907 Oklahoma was admitted to the Union and in the autumn of that year Dr. Willard Car-

ver, present head of the Carver Chiropractic College at Oklahoma City, with Dr. T. F. Ratledge and others, prepared and submitted to the legislature a bill designed to regulate the practice of chiropractic. The previous year a similar measure had passed the legislature of Minnesota but had been vetoed by the governor. No previous chiropractic law had ever been proposed anywhere.

This was still the infant period of the profession, for the Palmer school had been actively in existence only four years and the Carver-Denny Chiropractic College barely two.

This bill was placed in the hands of the judiciary committee, which examined many lay witnesses who testified to cures through chiropractic. The evidence pertained to the most serious diseases. The bill reached the Senate, which expressed approval by a considerable majority, but upon reconsideration defeated it by a single vote. The measure came before a Senate committee again, following its passage in the House. In the meantime a medical bill, known as Senate Bill No. 189, appeared, requiring the attention of Dr. Carver and his colleagues. The former lawyer succeeded in having certain clauses detrimental to chiropractic altered, but shortly after the adjournment of the legislature in May, 1908, Dr. Carver discovered

that Bill No. 189 as printed did not contain his amendments. When the clerk in the office of the Secretary of State was unable to find the original bill, the chiropractor asked permission to join the search. He discovered the document among some waste paper consigned to the janitor, and after having it photographed returned it to the capitol to be engrossed correctly.

The approval of Bill No. 189 by Governor Charles N. Haskell spelled immunity in some degree for chiropractors and compensated partly for the failure of the chiropractic bill of the previous year. That Governor Haskell was favorable toward chiropractic was evident by the fact that he and members of his family had received treatments by Dr. Ratledge, who was on the governor's staff at that time and held the honorary rank of colonel. During the latter part of his activities in Oklahoma, Dr. Ratledge was the only chiropractor permitted to enter the Senate after numerous signers of an allegedly scurrilous petition circulated by Dr. Carver were excluded from the Chamber. Upon evidence that Dr. Ratledge's name had been affixed without his knowledge it was expunged from the record. Thus he was enabled to continue contact work in the legislature in behalf of the cause he served.

A half year's attendance upon the Oklahoma legislature by Dr. Carver, Colonel George M. Masterson, manager of the chiropractic campaign for recognition; Captain F. M. Posegate, writer, and others, was not without favorable results. But chiropractic needed organization. Rivalries threatened to disrupt the legislative program and complete accord on policies was far from being realized. L. L. Denny, the associate of Dr. Carver for two years, joined with him in an unremitting expenditure of time and money, prior to the former's resignation in 1908 from the college which he had raised money to establish. The previous year he had been chosen first president of the Oklahoma Chiropractic Association, which took up the fight for legal protection. Between 1912 and 1918 it was known after reorganization as the Oklahoma State Association of Doctors of Chiropractic. Later it readopted the original name.

Toward the end of this period there came up for discussion Senate Bill No. 111, devised to check chiropractors by compulsory examination in various medical subjects, at the hands of the medical board, at the same time restricting their practice to drugless methods. Despite all efforts the bill passed both houses and was signed by the governor, but it was destined to emancipate rather than abolish

chiropractic. Taking advantage of the ninety days which must elapse before the law would be in effect, the Oklahoma Chiropractic Association, led by its president, Dr. W. R. Gorby, Dr. Carver, Dr. John C. Hubbard and others circulated a referendum petition asking that the law be not approved by the voters of the state. The required number of signatures were received, whereupon the medical association demanded of the Secretary of State that the citizenship credentials of all signers be examined. This was done and the validity of the petition assured. The election of 1918 passed without the question coming before the people, but Governor Robertson acknowledged the petition in 1920 and it appeared on the November ballot. Campaigning developed tensely in the camps of the medical and chiropractic associations. Both sides appealed to the public through printed advertisements and such other publicity as they could command. Mass meetings were held in several cities at which the case of chiropractic was made clear. It was a protest against a law which would require chiropractors to be examined in medical subjects, since they not only had nothing in common with medicine but were opposed to its use. The long and impressive record of benefited cases was put forth; the very fact of the petition cited as proof

of public gratitude. Should the multitudes who had placed their faith in chiropractic and had been restored to health be now compelled to renounce chiropractic? Was it consistent with American freedom that an individual be prevented from choosing such means as he thought best in order to save his life?

This strange contest between rival professions over the right to administer to the sick resulted in a victory for the chiropractors by a majority of 46,000 votes. A signal success capable of influencing the cause in other states, nevertheless it was defensive and not aggressive—a final stand to retain a precarious position. Yet in this resistance the new science had been made a public issue and many thousands of citizens had become informed as to its merits. Unquestionably a greater following had been create'.

The next year the legislative committee of the Oklahoma Chiropractic Association introduced a bill to establish the right to practice independently of medical control. On this committee were Drs. W. R. Gorby, H. B. Hoppe, E. M. Hurry, Harry Gallaher, and Judge George S. Evans. Dr. Gallaher, who had waged a lone battle for five years against the Louisiana law, with Dr. P. E. Courtney of Enid was delegated to the capitol.

The Senate approved the chiropractic bill by a considerable majority. There was delay in having its duplicate submitted on the floor of the House, whose committee chairman was allied with the medical profession, and the House had to call for the bill. Its passage and approval by Governor Robertson ended the fourteen years of struggle for the recognition of chiropractic. The board of chiropractic examiners, forthwith appointed by the governor, comprised Dr. C. Sterling Cooley, of Tulsa, president; Dr. Harry Gallaher, of Guthrie, secretary, and Dr. Curtis J. Lee, of Oklahoma City, treasurer.

As the new law was retroactive, compelling all chiropractors to take an examination and not merely applying to a new generation of practitioners, it resulted in ridding the profession of a large number of imposters. Prior to this any person with a few months or weeks of training in chiropractic could open an office and accept patients. In 1921 there were 553 practitioners in the state. When it became rumored that they were to be examined, about one-fifth promptly migrated. Of the survivors 327 appeared at the Irving School in Oklahoma City on August 29, 1921, and spent six days writing on thirteen subjects. The board of examiners after a six-weeks' session devoted to

reading papers found 286 of the applicants qualified to continue in their profession. By 1930 approximately 700 licenses had been issued in the state of Oklahoma.

The status of the chiropractor in Oklahoma now so notably secure was achieved only after years of contest, during which time repeated obstacles, apparently insuperable at times, were reared against the cause. In the retrospect it furnishes many a lively episode in legislative and professional records.

Not the least sensational was the arrest and imprisonment of Dr. Willard Carver. This chiropractic pioneer in 1917 wrote an article published in a small daily paper declaring that the physicians, druggists and osteopaths of the state had been assessed to carry on the campaign against chiropractic. He raised the question whether members of the Senate had been bribed and was accordingly brought before that body and charged with contempt. Pronounced guilty, ten days in the county jail and a fine of $500 was the judgment. An order for his release was obtained before the expiration of the sentence and the fine was permitted to go unpaid.

"Basic Sciences"

Concerning the second group of states where the "basic science" law is in force, conditions have thereby become exceedingly difficult for the chiropractor. Although the subjects required under the examinations are now included in the courses of the chiropractic schools, the medical interpretations of these subjects exclude a very large percentage of chiropractic applicants.

The "basic science" law is generally regarded in the chiropractic profession as an expedential enactment due to the difficulty in construing the practice of chiropractic as that of medicine. It is viewed as a roundabout attempt to accomplish the exclusion of chiropractors.

In Nebraska and Washington, where the "basic science" law went into effect in 1926, no licenses have since been issued to chiropractors. The first chiropractic law in Nebraska was passed in 1915, and until January 1, 1916, the doctors of chiropractic then practicing in the state were licensed by exemption. A course of three years of nine months each was required until 1924 when the time requirement was dispensed with and qualifications of applicants rested solely with the examining board. Conditions in this state were gener-

ally regarded as favorable to chiropractic until the passage of the "basic science" law two years later, and Nebraska is now typical of the states where this law is in force, the chiropractor's chances of qualifying in all the required subjects of two professions being exceedingly unfavorable. All entrants for examinations must now present a certificate showing a completed course in chiropractic of three years of nine months each.

Between 1916 and 1926 the average number of licenses issued yearly was about thirty. At present there are probably not more than 325 chiropractors practicing in Nebraska, and it is estimated that approximately 100 who hold Nebraska licenses carry on their work in other states where public and official attitudes are more favorable. The resident practitioners are hopeful of having the "basic science" law repealed within a year or two. The Nebraska Chiropractic Association has been an active force in advancing the interests of the profession and in 1930 was considerably heartened by a decision of the state attorney general by which recognition to chiropractic was accorded on the part of the industrial insurance department. In the state of Washington a contrary ruling occurred.

The fact of a provision for licensing chiro-

practors and osteopaths under the "basic science" law is regarded as amounting to a recognition of the two professions as health agencies despite the barrier imposed by the difficult examinations, and accordingly has given rise to a continual protest on the grounds of prejudice and unfair discrimination, notably in view of public moneys being expended for medical care but not for chiropractic or osteopathic facilities.

New York

Among the "open states," New York and Texas represent particularly hard-fought battlegrounds. Recognition and compromise up to the present time have not been gained, and the chiropractor remains outside the pale of legal protection. Not included by law among medical practitioners, yet as such he is susceptible to arrest and penalties through technicalities. The charge of "practicing medicine without a license" is as familiar in New York state, consequently, as in the states where medical boards exercise authority over chiropractic.

Considerable effort to influence public opinion in behalf of chiropractic has been organized during the last five years, especially under the guidance of the American Bureau of Chiropractic, the head-

quarters of which are at 100 Fifth Avenue, New York. Represented in forty-two states and in six foreign countries, it has put forth a protest against alleged medical monopoly and persecution and declared the right of any individual to select the doctor of his choice. Through *Chiropractic News*, published weekly at the address named, a large number of testimonials have appeared in connection with reports of meetings of auxiliaries in various parts of the country.

That chiropractic is gaining attention in New York as a public issue is indicated by the publicity given to the arrest of Dr. J. Acman Holland, of 2331 Seventh Avenue, in the summer of 1930. Protest meetings of a large number of patients occurred, at which the science of chiropractic was pronounced one of the greatest blessings to humanity and the work of Dr. Holland upheld. One speaker said he would travel from Maine to California to tell the truth about chiropractic. A front page article of two columns appeared in a local newspaper reporting the protest and including a resolution by Auxiliary No. 22 of the American Bureau of Chiropractic, which in part stated:

"This persecution of chiropractors by the medical profession under the disguise of the State Educational Law, should be stopped. . . . How can

anybody conceive the idea that a person applying bare hands to the spinal column can be charged with practicing medicine? . . . Such a charge does not tend to benefit the community, it is detrimental and destructive; its purpose is to keep the world in ignorance of the merits of chiropractic."

The arrest of Dr. C. P. Eifertsen, vice president of the American Bureau of Chiropractic, proved the signal for additional protest that reached the utmost boundaries of the chiropractic world. This imprisonment reacted immeasurably to the fame of the imprisoned, as Dr. Eifertsen was declared to have relieved one of his keepers of blindness in one eye.

Simultaneously with this report the *Chiropractic News* mentioned in its issue of September 11, 1930, the testimonials of cures of tuberculosis, sleeping sickness, psoriasis, the restoration of the voice of a well-known Metropolitan Opera star, the cure of chronic bronchitis of a priest and of the notable case of Henry Wuchner, said to be the fourth man to survive tubercular spinal meningitis. Cases of cancer of the liver and quinsy, and sworn testimony from many parts of the world, were submitted, all a fragment of the data employed in a direct mail campaign to acquaint the public with the achievements of chiropractic.

The American Bureau of Chiropractic, largely composed of laymen beneficiaries, has concentrated upon New York in the wide distribution of its appeal. Its editorial forces have bitterly attacked the position of the medical authorities, as witnessed by an article in the *Chiropractic News*, October 9, 1930, of which the introductory paragraph reads in part:

"Persons no longer submit humbly, meekly and entirely to the hocus-pocus of needless operations and the drugging of their bodies with apothecaries' mixtures. That awful record of nineteen million deaths a year from disease, *not from old age, nor accident,* is confronting the medical profession with the most serious indictment, that, as far as the health of the world is concerned, medicine . . . is a flat failure."

This is illustrative, not only of the attitude of this organ of publicity, but of practically all chiropractic publications and organizations. Encouraged by the loyal adherence of patients, by a gradually improved status, despite thirty years of excommunication, the leaders of chiropractic, conscious of a complete divergence of belief, declared their independence of medical authority. Claiming to have saved countless lives, to have brought relief and happiness to millions of homes, the or-

ganized strength of chiropractic has sought to reach the legislator through his constituents and finally to bring about a universal recognition commensurate with the dignity of science.

In no state have practitioners been more continuously harassed by investigators than in New York. A nightmare of insecurity and suspicion has prevailed since the first arrests more than twenty years ago, when sleuths masquerading as patients began to seek evidence of illegal practice. This came at the time when a crusade had been launched against palmists, clairvoyants and masseurs, and Sixth Avenue, between Twenty-third and Fifty-ninth streets, witnessed the extermination of scores of objectionable establishments bordering on the elevated railroad route. Current opinion was justly aroused against charlatanry, and the apprehension of some chiropractors, many indeed, unworthy of the name, served to class all chiropractors with the disreputable element. The New York newspapers, containing frequent items about arrests, and circulating throughout America and abroad, were responsible for much of the early prejudice against chiropractic. It had also inherited the skepticism shown towards osteopathy.

A Philadelphia Skirmish

The attack of the *Philadelphia Record* in 1930 reflected this old stigma, and the chiropractors of Pennsylvania, lodged under the same liabilities as those of New York, rose to protest with the cry of "Health freedom."

Following the investigations by two young reporters and two girls, representing themselves as married couples, *The Record* published an alleged canard denouncing all unlicensed healers as quacks. The *Chiropractic News* responded, showing the circulation of *The Record* to be only 68,360, and reprinting a card sent to the physicians of Philadelphia presumably for the purpose of increasing the sale of the paper. The card contained an exposure based on "months of exhaustive investigation by a corps of investigators" and was entitled "Bootlegging the Healing Arts." It declared the authorities powerless to check the evil under the Medical Practice Act and advised the doctors to purchase *The Record* to learn the whole story.

The Philadelphia chiropractors acclaimed this newspaper attack as a stupid attempt at persecution. Attention was called to the fact that medical quacks had not been included in the affront, which was dubbed hypocritical and destined to act as a

boomerang. Certainly it furnished a theme for chiropractors' meetings in many parts of America and swelled the chorus against "medical monopoly." Of the hundreds of chiropractors in Philadelphia only a few were arrested, and much difficulty ensued in trying to prove they had treated merely mythical ailments.

The conflict in Texas has been perpetual, despite the increasing recognition in nearly all of the neighboring states. Organization of chiropractors, seen as the only means of gaining legislation, has proceeded slowly under the difficulties incidental to a lack of funds, yet a persistent effort has been made to find friends in the legislature. Ladies' auxiliary associations have been specially active, as in Minnesota and Kentucky.

Scarcely more favorable are conditions in the states having examining boards composed both of doctors of medicine and chiropractic, for the burden of mastering medical subjects in addition to the three or four-year chiropractic courses suffices to bar the great majority of applicants. Ohio, where early sounded the slogan "Go to jail for chiropractic," typifies a condition where the chiropractor must choose between the almost futile quest of a license and virtual outlawry. He is eternally faced with the possibility of being obliged to

prove that he has not been practicing medicine. The situation in the five states of this group is far from conducive to betterment of chiropractic standards, even though the law is ostensibly created for that purpose.

Vastly different are the conditions in Alabama and Mississippi, where no more recognition exists than in New York or Texas, but where, nevertheless, chiropractors conduct their work without molestation.

In the fifth group of states, Colorado, Illinois, Michigan, and Virginia, where licenses are granted through medical boards upon adequate chiropractic credentials, and more or less co-operation between medical and chiropractic authorities exists, it may be serviceable to glimpse the record and present status of Michigan.

Michigan

Here re-echoed as in practically every state the denunciation of chiropractic as a fraud upon the public. Recognition, or compromise, was ignored by the medical board or state authorities. The only hope of acquiring recognition lay in organization, which had already come into existence in other states by 1913. Then an amendment to the medical law in Michigan was introduced.

By this measure all drugless healers were brought under medical supervision, but those who had been in practice for two years prior to September 1 of that year were rendered exempt from the provisions of the act and accorded a license. By this exemption clause 135 practitioners received recognition. The board of medical examiners, however, for ten years refused to permit any chiropractor to be examined, during which period there was presented biennially to the legislature a bill asking for recognition.

The number of chiropractors in the state had considerably increased despite the discrimination against the profession, and a strengthened state organization in 1921 and 1923 instituted vigorous campaigns to secure the passage of the bill. It was defeated in the legislature on each occasion by a narrow margin.

Foreseeing an eventual recognition of chiropractic the medical authorities realized that only the weakening of the organized ranks could check progress. Prosecutions on the score of "practicing medicine without a license" were not very effective in the courts.

There appeared in Detroit the so-called Alma College of Chiropractic. It supplied a four-year course of 160 hours, embracing high school sub-

jects and purporting to qualify students to take a medical examination. Graduates holding the equivalent of a high school diploma were permitted to undertake the medical board's test, and a considerable number of licenses to practice chiropractic were issued. The holders of these credentials were organized into the Michigan Registered Chiropractors Association. In the meantime it was discovered that the head of Alma College of Chiropractic was a doctor of medicine.

Many chiropractors, who had had no affiliation with Alma College, had been induced to lend support to the organized activities of the Michigan Registered Chiropractors Association, and unwittingly contributed funds for propaganda tending to strengthen medical control. Believing themselves duped, they formed in 1928 an organization called the Chiropractors of Michigan. A new campaign was fostered, but its control passed into the hands of the presidents of the association and the college, with the result that the career of chiropractic in Michigan nearly foundered on the "basic science" laws. This might have happened but for a small group of the old line chiropractors who desperately fought the proposed legislation.

The situation in Michigan differs from Colorado in that credentials in the former state are less

indicative of a purely chiropractic rating. It is typical of those states where, it is charged, licenses have been gotten at the price of subversion. Unrepresentative authority has sprung up time after time in the profession of chiropractic, whose antagonists have allied themselves with disaffected elements as a means of ultimately discountenancing the entire practice.

CHAPTER VII

The Struggle in California

N CALIFORNIA are approximately one-fifth of the licensed chiropractors of the United States, and in Southern California chiropractors are more numerous than in any other part of the world. In Los Angeles County alone are more than 1,200 members of the profession. The fight for recognition in this state covered a period of eleven years, from 1911 to 1922. Nowhere was the conflict with medical authorities more intense, nor the suppression of chiropractors pursued with a more relentless policy. Until the Chiropractic Act became a reality in 1922 and provision was made for a board of chiropractic examiners, a perpetual battle was under way, with apparently little chance of victory for the outnumbered crusaders. It is a tale of stratagems and spoils, of political intrigue and reprisal. Attacked on all sides, weakened by defection within the ranks and hundreds sent to prison, only an appeal to the public through the launching of an initiative petition finally won success. Then began a new battle

to hold the position gained—to function according to law.

In 1908 there were probably less than ten chiropractors in the state. Exponents of various healing arts, including some of these chiropractors, organized the Naturopathic Association of California, and in 1909 sought legislation to effect the establishment of a licensing board. An amendment to the medical law, having approval of the state medical authorities, was passed, by which anyone showing a certificate of membership in the association might receive the seal of the medical board, and this constituted a license. Educational and professional qualifications were not investigated. Two years later, at the next session of the legislature, this absurd law was repealed, but in the meantime, along with many indiscriminate drugless practitioners a number of chiropractors had gained credentials. The latter eventually became at odds with the majority of chiropractors, who under agreements of organization refused to acknowledge medical authority. The dissension which developed has lasted until the present time, and since 1922 has been a fight for the control of the chiropractic examining board. The first practitioners to receive credentials under the naturopathic law, and others who embraced the opportunity to se-

cure licenses under the drugless practice provisions of the medical law, as amended in 1915,* were less disposed to resist medical authority, and thus originated in California the opposing policies of the "mixers" and the "straights." This will be discussed later in this chapter, and in Chapters X and XI. This was a conflict between practitioners who relied more or less upon mechanical accessories, and in some cases even recommended drugs, and those who adhered strictly to *chiro-praktikos* (done by hand). It became more accentuated in California than in any other part of the United States.

The lot of the chiropractor had grown more difficult in 1913 when arrests for "practicing medicine without a license" began to take place, and in the next two years about forty practitioners were convicted. By 1915 there were about 300 chiropractors in California, most of whom were graduates of schools that had sprung up in the larger centers of population.

Danger of Absorption

For chiropractors to lose identity among the various drugless practitioners was seen by the

*Drugless practitioners' licenses are still available in California upon presentation before the medical board of evidence of 2,000 hours of study in the healing arts. The original requirement was 1,000 hours and an oral examination.

"straights" as playing directly into the hands of the medical board. The first organized resistance against what was viewed as a policy of absorption began with the Federated Chiropractors of California, formed in 1912, which undertook a program of public education. A licensing system under proper authority had long been viewed as the only means of attaining a secure professional status, and this could be realized only through a state board of chiropractic examiners.

From 1913 to 1921 bills to establish such a board were regularly presented at Sacramento, the state capital, only to suffer defeat. Funds for campaigning were scanty and organization far from perfect, and even the support of rapidly increasing sympathizers, patients who had been restored to health through chiropractic, proved inadequate. Encouragement, however, came from the defeat of Initiative No. 46 at the fall election of 1914. This measure would have doomed chiropractic to oblivion among heterogeneous drugless healers. The opposition was directed by Dr. T. F. Ratledge, present head of the Ratledge System of Chiropractic Schools, who had been active for three years (1908-1910) in legislative work in Oklahoma and later in Kansas, where the first of all chiropractic laws was passed in 1913. The securing of legal

recognition in Kansas was in no small measure due to the courageous efforts of Dr. Ratledge, Dr. Anna M. Foy, of Topeka, and Dr. Willard Carver of Oklahoma City.

Impetus to legislation in California was given by Hon. Alfred L. Bartlett of Los Angeles, a former member of the state legislature, and it was under his guidance that the chiropractic bill of 1915 was launched and won a favorable vote in the assembly. There were but thirteen adverse votes. However, it was beaten by a narrow margin in the Senate. Mr. Bartlett was a believer in the principle that an individual has the right to elect such treatment against illness as he deems best. Furthermore, only upon legal recognition of chiropractic could standards be realized, and without standards the elimination of unqualified practitioners was impossible. Captain W. T. Helms of the same city was an ardent sympathizer, who, while chief deputy district attorney, publicly declared the medical law unjust. This was at a time when dope venders, abortionists and even thugs were said to be safer from arrest than chiropractors, against whom mere technicalities were sufficient grounds for jail sentences.

With arrests multiplying throughout the country, California chiropractors especially were har-

assed for a decade prior to 1922. In a single year occurred 450 arrests. The "Go to jail for chiropractic" slogan is said to have been originated by the Federated Chiropractors of California. It infused the practitioners in all sections of America with a fresh zeal and a sense of heroism, and they pursued their livelihood with a diminished dread of the courts of law.

The Alameda County Chiropractors' Association, organized in 1917 by Dr. James Compton, adopted a constitution by which its members were required to go to jail rather than pay a fine. The association was advised by Tom Morris, chief counsel of the Universal Chiropractors Association, and former lieutenant governor of Wisconsin, that it was illegal to maintain a constitutional decree against paying a fine, but the officers of the Alameda association would not revise the ruling. This organization became the hotbed of agitation, and many chiropractors from distant towns applied for membership, the actual strength of which was kept secret.

Dr. Ratledge's Arrest

Meanwhile the round-up of men and women practicing without licenses continued. Dr. Ratledge who attended every legislative session at Sac-

ramento between 1913 and 1921, was arrested in 1916, causing a newspaper sensation. He had been apprehended two years before under the Drugless Practitioners' Act, and acquitted. When declared guilty of practicing without a license, Louis Ward, later a judge in San Francisco, told him that if he would apply to the State Board of Medical Examiners for a license he would be granted a pardon. He was given the alternative of discontinuing practice until after the next legislative session. Dr. Ratledge declined, saying that he considered this a conspiracy against the people, inasmuch as a license signifies competency and nothing else. He insisted that the members of the medical board, being uneducated in chiropractic, were incompetent to pass upon his qualifications.

Governor Hiram Johnson pleaded with Dr. Ratledge to reconsider his stand. His going to prison would bring shame to his wife and boy. He bade him to think of his son in particular. The chiropractor outlaw replied:

"And if I don't go to jail he won't respect me when he gets old enough to understand."

The governor put his arm about Dr. Ratledge's shoulder, and tried again to dissuade him adding, "Think it over."

"I've been thinking it over for many years,"

was the reply. "You've been considering the matter for thirty minutes. Think it over, Governor."

Perplexity stared from Governor Johnson's eyes as they parted. That there was such a thing as philosophy in chiropractic seemed incredible.

The following day, May 5, 1916, Dr. T. F. Ratledge went to jail for ninety days. At this time there was no alternative of paying a fine. The widely published story of this incarceration stirred up considerable sentiment, and more than one editor alluded to the "spirit of '76."

The "Round-up"

Dr. Charles C. Lyon, aged seventy-four, was the first of the Alameda County chiropractors to be arrested and sent to jail. He served fifty days. Quickly followed the seizure of the three organizers, Dr. Compton, Dr. John A. McCarl and Dr. Linden L. D. McCash, the latter being imprisoned on two occasions. Dr. Minnie Leach collapsed in jail after a ten-day hunger strike. Dr. Hazel E. Harper and Dr. Shahzada were arrested and found guilty. Compton and McCarl were acquited on jury verdicts. Dr. Moses J. Holt, who succeeded Dr. Shahzada, was also taken into custody.

Resistance doubled as arrests went on. Lukewarm practitioners became alive to their peril and

compromise was seen as fatal to their future. To duplicate the error of the osteopaths by embracing medicine and surgery was regarded as a desperate expedient and equivalent to a complete surrender.

In 1920 another initiative measure, No. 5, appeared, its purport being to license all drugless practitioners under the name of chiropractors. It met the same fate as Initiative No. 46 in 1914, for the organizations of chiropractors were gaining solidarity.

As arrests continued fighting spirit arose. Among the more sensational cases was that of Doctors J. E. and Reba I. Willis, of Porterville. On December 8, 1920, their office was ransacked by two investigators, their patients insulted, it was alleged, and they themselves placed under arrest. The local magistrate released them under bond to appear in the superior court, the arraignment occurring January 24, when they were sentenced to 100 days in jail or the payment of $200. They chose imprisonment and bade their three-year-old twin girls good-bye at the jail door. It was the first time a mother had been incarcerated and much indignant comment was voiced. Letters of condolence came to the jail from foreign countries, and all told, more than 100,000 pieces of mail are said to have been received by the imprisoned

couple. Mrs. Willis was released after sixty-five days to attend her children who had become seriously ill, and her husband was freed for three days to aid in their restoration. Dr. Willis served his time, but was arrested and jailed twice in 1922. In the interim the chiropractic initiative measure passed and his case was taken to the Appellate Court. Governor Friend W. Richardson, shortly after his inauguration in 1923, pardoned Dr. Willis and all other chiropractors then in jail and under sentence. Governor Richardson in his address to the legislature stated in substance that he had pardoned these chiropractors because in his opinion they had been unjustly accused.

Dr. H. Health Engmark of Los Angeles was tried for the second time on January 21, 1921, found guilty of practicing medicine without a license and required to serve three months. He had a wife and two children as dependents. Others of professional repute had shared the same experience in growing number. In the late fall at Long Beach five chiropractors had been arrested in one day: Doctors P. F. Brandt, O. W. Halverson, J. W. Helms, Jeannette Habich and T. P. Overton. So aroused were citizens of the community that 1,200 assembled at a mass meeting. Dr. Ratledge and Secretary Brockman of the Chamber of Com-

merce officiated, and Dr. E. C. Fortin of Los Angeles made clear the injustice of applying medical law to chiropractic.

In other parts of the state the round-up continued. Fresno and Bakersfield were scenes of numerous arrests. Judge Bunnell of Bakersfield refused to issue a warrant authorizing the search of chiropractors' offices in Taft. Nevertheless, in 1922, Doctors C. De Marsa, J. F. White, L. Johnson and E. M. Johnson were taken into custody in Taft and arraigned at Bakersfield. When the judge asked the sheriff why there were so few witnesses, in view of the many subpoenas issued, the sheriff said:

"Your Honor, the sheriff's office has been unable to catch the witnesses. They hide under beds and run out the back doors. They won't testify against these chiropractors. The sheriff's office has a lot of important business, so if you want these witnesses you'll have to catch them yourself."

The case was dismissed for lack of evidence.

Despite the many tragic circumstances these trials sometimes afforded amusement.

When the same group of chiropractors was arrested in Taft in 1921, the special agent asked that they be placed under a bond of $1,000 each. Judge J. L. Reed, in his court at Fellows, replied:

"I'm very sorry, but a goat got in last night and ate up all the bonds for $1,000, so we'll make it $100."

At the subsequent trial, the judge said that he could not see where the chiropractors had done anything but good and dismissed the case. Then he told how his little girl had been cured through chiropractic, and reminded his hearers that 2,000 years ago a Man had been crucified for doing similar work.

Decoy Evidence

The Reverend Emil Meyer of Sacramento wrote in *The California Telegram* of April 27, 1922:

"To our knowledge not one accusation, as a matter of record in California, has been brought against any chiropractor by any patient. Charges and convictions were based upon decoy evidence.

"The Medical Practice Law is the only law, we believe, on the California statute books that requires hired, coached, trained spies to detect violators of the law. . . . No robber, murderer or other criminal is tempted by hired spies to commit crime, to 'get a case against him.' It is a crime to incite to crime. If chiropractic is criminal is it not a crime to incite the practice of chiropractic?

"We cannot expect that every chiropractic adjustment will cure, no more than we must fear

that every medical pill will kill. Many surgical operations are successful — to the undertaker; many poisonous drugs act likewise. Many good people, including many physicians, shudder with horror while they remember what poisonous medicines were administered only ten years ago. Why this great change is prescribing medicines? What transformations will another decade bring?"

The success of the initiative of 1922 was principally due to the intensive work of the California Chiropractic Campaign Committee, formed in 1921 by the Federated Chiropractors of California and the California State Chiropractic Society, which had come into being a few years after the former organization. The state was divided into two campaign districts, each having its own committee, and the work of raising funds and influencing public opinion went into the hands of hundreds of volunteers, both professionals and lay supporters.

State Funds for Propaganda

Campaign ammunition included criticism of the alleged expenditure of money for propaganda by the State Board of Medical Examiners. It stirred up attack entirely outside of the battle zone. The *Sacramento Union* in an editorial of March 28, 1922, sounded this echo:

State moneys are supposed to be for the purpose of maintaining state departments and enforcing state laws. At least that is what the taxpayer is led to believe, and what the statutes provide. As far as can be ascertained, there is no statute permitting the use of public funds for propaganda purposes. Yet one department is deliberately using its state office and apparently a portion of its state funds for purely propaganda purposes.

The "Bureau of Information" of the State Board of Examiners has recently been deluging the press of the state with bold propaganda against the chiropractors and other drugless practitioners, to further their plans to compel such practitioners to study medicine and pass a regular state medical examination before being permitted to practice. Sometimes the two-page circular sent out will contain a modicum of news at the end in regard to exat inations; others are but thinly veiled tirades against chiropractors.

The merits or demerits of the chiropractors do not enter into the question. Every state body is supposed to be unprejudiced and to be free from dominance by any cult, organization, association, school of learning or practice, . . . Supposedly unbiased, it is deliberately going out of its way and using its state office—and apparently state funds—to attack a certain curative school.

We believe that such practice is entirely without the jurisdiction of the State Board of Medical Examiners, and that its news letters should contain news only and not rabid propaganda.*

A modern Jeanne d'Arc appeared in the person of Mrs. Jessie White, who organized the Chiro-

*Reprinted in *The California Telegram* of April 27, 1922.

practic Defenders' League and went from town to town in the north, pleading the cause and establishing fighting units to secure passage of Bill Number 16. In Los Angeles Dr. Ratledge offered to divide the tuition income of his school with the campaign committee. The Chiropractic Initiative Bill was carried by an emphatic majority of 153,751 votes. This vindication by the people of California marked the turning point for chiropractic in this state. The right of chiropractors to be examined and licensed by competent authorities, representatives of their own profession, was now a matter of law, a privilege that could not be revoked, and which assured recognition to every worthy individual.

Linden L. D. McCash, in charge of the campaign in the northern counties, testified that $18,085.07 had been spent in his district. In the southern part of the state $46,129.24 had been the cost of the campaign, according to Frank Pyott, committee chairman.

While the campaign was at its height considerable comment arose through the preferring of charges by the Campaign Committee against Dr. David P. Barrows, president of the University of California, Berkeley, because of the public utterances of Dr. Barrows and campaigning on the part

of students. Complaint was filed with the Board of Regents asking for the removal of Dr. Barrows for entering politics while acting as president of the State University. Although the charges tended to check the activities of the students, no penalty could be exacted, for the matter came under the political code.* At Stanford University the students actively contended against the chiropractic bill, reflecting the prejudice expressed by their president, Dr. Ray Lyman Wilbur, who was also

*The specific accusation brought against Dr. Barrows by the California Chiropractic Campaign Committee was that the university president had violated Article 9, Section IX, of the Political Code by issuing a statement to the press antagonistic to the chiropractic bill. The committee, in the name of 108,000 voters who had signed the initiative petition, demanded a retraction of Dr. Barrows' statement. The latter, in declining to accept a second invitation to debate the merits of Bill Number 16, wrote the campaign committee:

"The only point of difference between us, as I understand it, is your proposal that the chiropractic profession have its own board of examiners, while my feeling is that all medical practice should be subject to one standard system of examination and certification by the state."

This elicited the following statement from the chiropractic campaign headquarters in Oakland:

"The chiropractic campaign committee concurs with the statement of Dr. Barrows that all medical practice should be subject to one standard system of regulation. But it also contends that all drugless practice should be subject to an entirely different system of regulation. The medical and drugless sciences are distinctly separate. Standard chiropractic institutions require at least a three years' course of study before graduation. Medical men, never having studied chiropractic, are therefore totally unqualified to either regulate or examine applicants to practice chiropractic. In fact the present obsolete medical law does not even provide for an examination in chiropractic. No examination in chiropractic has ever been given in California—and cannot be given under the present medical law, passed 20 years before chiropractic was discov ed, (1876). Hence the imperative need for chiropractic regulation by chiropractic authorities, not prejudiced, competitive medical, interested only in their own profession."

president of the American Medical Association, later becoming Secretary of the Interior. Another active foe of chiropractic was Chester Rowell,* editor of the Fresno *Republican,* whose syndicated articles were widely read on the Pacific Coast.

The New Law

The chiropractic bill provided for a self-sustaining board of examiners; a test of the qualifications of every chiropractor in the state as a basis for issuing licenses, a high school education or "education equivalent in training power" being prerequisite; a course of study covering 2,400 hours in a chiropractic school; the observance of all state and municipal health regulations and the non-use of drugs by chiropractors. The number of study hours required was 400 more than that specified for drugless practitioners in the medical enactment which now no longer might apply to chiropractic. It was estimated that by the passage of the chiropractic initiative $125,000 of taxpayers' money would be saved annually, as this was said to be the average amount expended by the medical board to prosecute chiropractors.

*A challenge to debate was sent from the northern and southern campaign divisions to Chester H. Rowell or any proponent of the medical forces, with an offer to pay all expenses involved, but the challenge went unaccepted, chiropractic philosophy being considered a hard nut to crack.

The first board of chiropractic examiners in California as appointed by Governor Friend W. Richardson, consisted of Dr. James Compton, of Oakland, and Dr. J. B. Edgerton, of Banning, for three-year terms; Dr. Ray S. La Barre, of San Francisco, and Dr. W. A. Messick, of Los Angeles, for two-year terms, and Dr. Albin Peterson, of Los Angeles, for one year.

Dr. Compton was then president of the Federated Chiropractors of California, the Alameda County Chiropractors' Association, which he had organized, and vice-chairman of the Northern California Chiropractic Campaign Committee, of whose executive and editorial committees he was chairman.

The task of appointing the members of the new board had been passed on to Governor Richardson by his predecessor, Governor William D. Stephens, after six weeks' baffling investigation of the merits of fifty-four applicants, representing many schools and organizations. The initiative law required that no two applicants should come from the same school and no more than two from any county. Governor Stephens received a 200-word telegram from Dr. Ratledge which declared that if men not truly representative of the profession were appointed, then the responsibility would be upon the

governor's shoulders. The matter of public health was to be weighed in the balance. Governor Richardson's statement on February 10, 1923, concerning his appointments included the remark: "The appointment of the chiropractic board is the most difficult job I have undertaken since assuming office." He added:

"If the files of letters I have received showing the opinion of the chiropractors of each other should be published the legal fraternity would have a busy time with libel suits. The fight between the chiropractic schools has been intense, and as there are only five appointments to be made and at least a dozen leading schools, all could not be satisfied."

Another initiative created a state board of osteopathy. There were approximately thirty-five classifications of drugless healers not affected by the new laws. Nearly 200 cases against chiropractors and osteopaths* under the state medical act were

*The Medical Practice Act, found in Chapter 212 of the statutes of 1907, in that year had repealed the existing medical and osteopathic laws, the latter in 1901 having provided an examining board of five osteopaths. (Chapter 99 of the statutes of 1901.) Thus after an interim of fifteen years osteopathy again acquired autonomy. During that period the eleven members of the state examining board included two osteopaths.

In 1925, three years after the passage of the chiropractic act, there were reported to be approximately 700 more chiropractors than osteopaths in California. In these three years 1,142 licenses were issued to chiropractors, while in twenty-five years 1,160 osteopathic licenses were issued. Many of the osteopaths had gone to other states.

dropped, according to a report from Harry A. Encell, attorney for the State Medical Board.

Of the 900 chiropractors in California in December, 1922, it was estimated that less than fifteen per cent held certificates from the medical board. The forming of new boards, it was said by Attorney Encell, reduced the legal work of the medical board by seventy per cent. The principal effect of the new law, however, was to raise the standard of chiropractic through the elimination of unqualified practitioners and, ultimately, to advance the morale of the profession.

Fresh Obstacles

But the eleven-year fight for autonomy was not destined to bring peace to chiropractic in California, for no sooner had the new State Board of Chiropractic Examiners taken office than obstructionists appeared to demand their removal. These were drugless practitioners who were eager to gain control of the new board. Ouster proceedings were filed February 26 after the board had been in existence only sixteen days, on the ground that its members could offer no evidence of the three years' practice required by the new law.

This *quo warranto* a tion was started by Dr. Joseph Sanford, of the Western College of Chiro-

practic in San Francisco, who had been denounced by the campaign committee in 1922 following his advertising the fact that his school had been investigated and approved by the medical board. Dr. Sanford was declared by the campaign committee to be anti-chiropractic.

When the chiropractic examiners met in Sacramento on February 27 and read in the morning paper that *quo warranto* proceedings had been instituted, they took a room in the capitol, secured a typewriter, locked the door and issued five licenses typed on plain paper to themselves. A box of ordinary red seals had been bought at a stationer's. It was evident to all that if their right to office was denied by the court the chiropractic law would be in extreme jeopardy. Much depended upon the single point of the proper origin of authority in the profession. Holders of certificates under the naturopathic law bearing the medical seal and possessors of licenses under the Drugless Practitioners' Act obviously occupied a strategic advantage.

At this juncture Dr. Ratledge went to Sacramento and secured the names of all applicants for licenses. He asked for twenty-five dollars from each individual and from the proceeds was formed the Chiropractic Defense Committee, whose object

was to defend the examining board. It was composed of committees from the Federated Chiropractors of California and the California State Chiropractic Society. But some of the "mixers" on the defense committee, being alarmed at a ruling by Attorney General U. S. Webb that chiropractors using hydro-electric or any other adjunctive modalities would be construed as practicing medicine and hence could not legally employ such modalities under the Chiropractic Act, decided that salvation lay in separation and forthwith withdrew their support. The recalcitrants then (1927) joined the newly organized Progressive Chiropractic Association, whose purpose was to combat the attorney general's ruling. The remaining members of the defense committee adjourned *sine die* and a new defense committee was immediately organized.*

The "Progressives"

That which is known as the "progressive movement" in chiropractic is chiefly confined to California and Oregon, but claims a following in Arizona, New Mexico, Texas and Oklahoma. Its adherents on an average are said to make spinal ad-

*This committee was incorporated in 1926 as a state association. The following year it became merged with other organizations into the California Chiropractic Association.

justments in approximately eighty per cent of cases, but openly allege that chiropractic cannot cure all diseases. Unlike the more strictly orthodox practitioner, who depends upon manipulation for all treatment, the "progressive" concedes the necessity for surgery and even medicine in certain cases. He employs mechanical devices for examinations and treatment, as, in fact, do many of the more conservative chiropractors.

In California, where the "progressives" attained recognition by securing places on the examining board in 1928, much friction has occurred between the California Chiropractic Association and the Progressive Chiropractic Association of California. An effort on the part of the latter organization to increase the number of hours in the study course from the present legally required 2,400 to 3,600, thereby including electro-therapy, hydro-therapy, biology, physics, minor surgery, optometry, obstetrics (including twenty-five bedside deliveries) and general hospital work, was regarded by the conservatives as a surrender of fundamental principles such as might result in eventual domination by the medical boards of the country.

California represents something in the nature of a testing ground for chiropractic, in the opinion of its oldest exponents. While there are slight

prospects of an eventual amalgamation between the opposing factions, the more extreme views involved appear irreconcilable. What constitutes chiropractic is a pivotal question, upon which much depends. Orthodoxy declares that the inclusion of medical theories destroys the very foundation of the science, particularly in that the "progressives" recognize bacteria as potential origins of some diseases and indicate surgery and medicine to relieve abnormalities which orthodoxy pronounces curable through vertebral adjustment. The "progressives," professing themselves equally qualified as chiropractors, declare it to be for the best interests of the profession and of humanity to admit the validity of other theories and methods. Whatever they deem necessary to effect cure they regard as legitimate and not incompatible with chiropractic.

The two opposing organizations not only fail to include many doctors of chiropractic who lean this way or that, and are allied with neither of the associations, but neither is made up of practitioners all employing identical methods. When so fundamental an institution as the Carver Chiropractic College instructs its students in the use of instruments for diagnosis and treatment, it is not strange that among the nominal "straights" are

many doctors of chiropractic who do not rely entirely upon hand palpation. In short, the alignments represented by the associations fail to indicate the degree of catholicism within the organizations, which renders possible an ultimate amalgamation and the enrollment of some 35 per cent of practitioners now unorganized. To what extent liberalism may weaken or strengthen chiropractic is a subject evoking general controversy and is of serious concern to the national organizations.

The plan of the "progressives" for a 3,600-hour course, embracing the new subjects already mentioned, was proposed at a joint meeting at Los Angeles, in August, 1929. The "straights" present refused to endorse the program. The study of bacteriology in particular was pronounced inconsistent with chiropractic. Dr. Otis M. McMurtrey, newly elected president of the Progressive Chiropractic Association, declared that his organization, nevertheless, would proceed alone to secure passage of such an amendment to the chiropractic act.

Opposition to the plan was voiced by the California Chiropractic Association, whose officers viewed it as further evidence of collusion, and a publicity campaign to defeat the petition was un-

dertaken. The required 92,800 signatures were not secured.

That the status of the "progressive" chiropractor was fast becoming indeterminable as well as immune from legal penalties was suggested at about this time by the case of Dr. B. D. Wilcox, of San Diego. The law forbids the chiropractor to practice that which may be included in *materia medica.* Two expert witnesses tried for an entire day to define *materia medica* to the satisfaction of the court, whereupon the fatigued judge declared that he found the defendant not guilty.

Licensed In Secret

The State Board of Chiropractic Examiners found its hands tied and was confronted with the likelihood of being unable to hold examinations or issue licenses. It was decided by the members, however, in any case to hold an examination in May. Hearing of this plan the attorney general gave instructions that no examinations could be held by the board while the court proceedings were pending. After considering this notification and realizing that some properly accredited chiropractors must somehow come into existence, else the years of effort toward recognition might prove to be in vain, the board resolved to hold two secret

meetings. Accordingly on the 14th and 21st of April, 1923, a month earlier than the time originally set, secret examinations were held in Los Angeles and Oakland and licenses issued to 220 chiropractors.

When news of this reached Attorney General Webb an injunction was secured to prevent further examinations. The supreme court held that it could not take cognizance of illegal practice and the five members of the board were ousted. This occurred early in 1924. On July 10 Governor Richardson named four new members, reappointing Dr. Compton, who was made secretary and executive officer the same day.

Immediately *quo warranto* proceedings were begun again, this time at the instance of Dr. George D. Gillespie, of San Francisco, holder of a drugless practitioner's license. Among the five Dr. Compton was doubly involved, having been ousted by the supreme court and reappointed by the governor. Charges of contempt were offset, however, since the secretary of the board could now prove his qualifications, thanks to the five licenses issued by the original board members to themselves on the occasion of their first meeting. This, as a matter of fact, was mandatory under the Chiropractic Act.

For four years the second *quo warranto* action turned on the question of a jury trial, which was demanded at the outset by the Defense Committee. The attorney general denied the request as incompatible with proceedings of this nature. Two cases where jury trials had occurred in *quo warranto* were cited, yet the request was not granted. While this controversy lingered in court more than 2,000 chiropractors were licensed. The case fizzled out, and by 1928 it made little difference whether the chiropractic examiners were deemed lawfully chosen or otherwise.

The irreconcilables were not done with harassing tactics, however, and, prompted by Dr. Sanford, filed against 1,100 active chiropractors charges of fraud and deception in connection with their applications for licenses. The board ignored the charges and proceeded to hold examinations of these chiropractors. Dr. Sanford secured an injunction to prevent the board from holding further examinations until the charges were heard. At considerable expense the 1,100 cases were of necessity tried by the board, which found none of the applicants guilty of fraud and deception and filed its decision with the attorney general. The latter obtained a court release and an order by which the board became empowered to confer licenses upon

the 1,100 chiropractors. This is one of many episodes in the long struggle against obstruction.

During 1925 and 1926 the rivalry between the opposing factions of chiropractors continued. Every obstacle possible was placed in the way of the examiners. Opinion among conservatives was that the program betrayed a conspiracy to ruin the profession. In the former year at one period as many as three temporary injunctions were in force, and it was not until 1927 that routine work on the part of the chiropractic board was smoothly under way. During that year and the early part of 1928 the general situation improved. All eligible chiropractors received licenses and an extensive co-operation developed between the practitioners and educators and the examining board. Under the plan of the Defense Committee an especially effective liaison was maintained by which the policies of the board and the desires of the profession were co-ordinated. The expense was borne by the profession, but amounted to little more than a nominal defrayment. The monthly *California Chiropractic Bulletin,* official organ of the Joint Defense Committee, with James Compton, D.C., as editor, performed yeoman service in securing funds for the committee and inducing lax chiropractors to pay their license renewal fees, the neglect of

which in numerous cases caused the revoking of licenses. It functioned primarily, however, as a news medium.

A reciprocity agreement with the State of Nevada by which credentials were honored in either state was signed in 1924, but was rescinded at a meeting of the board in Los Angeles, January 11-13, 1926, and thereafter all chiropractors seeking to practice in California were required to pass the regular examinations provided by section 5 of the Chiropractic Act.

"Progressives" Gain Board

After five years of self-government and steady improvement chiropractic in California was beset with fresh difficulties arising from the appointment of examiners by Governor C. C. Young who were declared to represent but a small minority of the profession.

A statement by Governor Young followed his appointment of the new members. It read, in part: "I am trusting that this will prove a harmonious board, and that it will lead to harmony in the profession." This was greeted with ridicule. Harmony was not destined to prevail. The warring camps became more hostile than ever. In vain peacemakers sought in behalf of chiropractic to

cement the differences between the California Chiropractic Association and the "progressives," but the differences were too marked and retaliations had been heaped too high. Represented by only two members on the examining board, and some of the time one, the leaders of the California Chiropractic Association declared the board failed to represent chiropractic. Governor Young's appointees, on the other hand, deploring the failure to amalgamate the rival organizations, dubbed their more conservative rivals as radicals, and adopted, it was alleged, a policy of retardation toward their opponents and their activities in the "C.C.A."

The issue reached a climax in a libel suit for $110,000 brought against the California Chiropractic Association, based upon four articles published in the *California Chiropractic Association Bulletin* in May and September, 1929, which set forth among other allegations that the board of examiners, with its majority of "progressives," discriminated against certain schools and conducted its work in a way detrimental to chiropractic. The plaintiff was a former investigator for the board. Superior Court Judge Leon R. Yankwich, a recognized authority on libel, gave judgment for the defendants in January, 1931, holding that although the articles were libelous *per se* public officials are

properly a target for criticism given in good faith. (Civil Code, Article 47, sub-division 3.) Sensational testimony was introduced at the trial relative to alleged invisible influence over the board and the asserted "framing" of opposing chiropractors through women of the underworld.

CHAPTER VIII

Status in Various Countries

THE PROGRESS of chiropractic abroad has been beset very naturally by prejudices similar to those which have existed in the United States. Advancement, however, is shown in many countries. In New Zealand the profession enjoys a general recognition comparable with that of the most liberal communities of western America. In some European countries it has attained a kind of esoteric importance, it being reported that the royal families of Italy, Spain, Belgium, Greece and Jugoslavia have been attended by chiropractors during recent years. King Humbert of Italy is said to be a strong advocate of chiropractic. Conditions in these countries and in the Balkans were reported by Dr. K. Ligeros at the American Bureau of Chiropractic in New York in the summer of 1930. Dr. Ligeros completed a course in medicine at the University of Athens, and is a graduate of Montana University and the Palmer School of Chiropractic. He served a seven-months' prison sentence in Athens, Greece, for employing an assistant who held no diploma from a medical college. On the occasion

of his visit to New York he stated that the Grecian government had named a committee to consider the establishment of a chair of chiropractic in the medical college of the University of Athens. Chiropractic attained favorable publicity in Greece two years before, owing to cures reported during the Dengue epidemic, notably those attributed to Dr. Ligeros.

An account of the address of Dr. Ligeros at the headquarters of the American Bureau of Chiropractic is published in the *Chiropractic News* of August 28, 1930. He is quoted as saying that chiropractic or something similar to it was practiced among the ancient Greeks before medicine came into general use.

"This is shown even in Greek sculpture," Dr. Ligeros says. "While the ancients did not reproduce the spine alone, because of its ugliness, they represented it as a serpent. Such is the case in the statues of Athena, Apollo and Hippocrates.

"In ancient Greek statuary the serpent is shown drinking milk from a ball. This is taken to represent the spine 'drinking' the life fluid through the nerves. This 'life fluid' now is known as mental impulses, or nervous energy.

"The old Greeks kept their bodies in shape by spinal adjustments. The treatment was adminis-

tered by having the patient lean forward while the 'chiropractor' used the flat of his foot instead of his hand for the adjustment.

"Writers on gymnastics, like Orevasius, Ætios, Galenos, Roufos and Antylicus, mentioned this method. Had not the library of Alexandria burned I believe we would find many volumes on this subject."

There is much favorable sentiment toward chiropractic in Greece at the present time, according to Dr. Ligeros, who speaks of the successful treatment of sleeping sickness, meningitis, tuberculosis and even blindness.

In that exceedingly conservative yet sanely progressive country, Switzerland, a view of the situation recalls the early attacks upon chiropractic pioneers in America. Although the Lucerne courts have finally bestowed recognition of the right to practice (the case of Simon Mueller, D.C., Ph.C.), the medical fraternity has been greatly aroused. However, there is scarcely more than one chiropractor to each million of the 4,000,000 people. Every possible obstacle has been placed in the way of the practitioners in Lucerne, Zurich and Berne. It is believed that there is a single chiropractor in Basle. Through the instrumentality of Dr. Mueller and his few colleagues a chiropractic society of

approximately 700 members, the patients of the chiropractors, has been formed in the cantons of Lucerne, Zurich and Berne.

In England and Ireland chiropractors enjoy comparative immunity by virtue of the policy of authorities to ignore their existence. In Switzerland the little handful, who are identified as "straight chiropractors," are under constant surveillance. A considerably more lenient attitude is shown in Germany and Russia, where, after the Great War, many chiropractors trained in America took up their practice. Members of the profession who had served on the various fronts gained an influence which won thereafter more or less civilian respect. In France exists a continual battle against absorption by medicine. In Germany there is a tendency to view chiropractic as a branch of surgery. In China, Japan and Hawaii legislation has rendered secure the position of the chiropractor.

A Swiss Pioneer

The case of Dr. Simon Mueller is notable. Graduated from the Palmer school in 1917, twice arrested in San Francisco, he decided to establish in his native city, Lucerne, Switzerland, in 1927. At this time there was at least ne chiropractor in the country, a lady practicing in Berne, the capital,

who had graduated from an eastern American school. His application for a permit to practice was refused. Shortly after undertaking work, despite the lack of this permit, he was haled into court and ordered to stop "practicing medicine." Dr. Mueller explained that he had nothing to do with medicine and Judge Amtstatthalter discharged him with fatherly advice.

The subsequent encounters with the Swiss authorities are told in a letter from Dr. Mueller to Dr. B. J. Palmer dated May 24, 1930, which was published in the *Fountain Head News*, of October, 1930, dated "October, A.C. 35," to signify the thirty-fifth year of chiropractic.

Within a fortnight after his release, through the instrumentality of the secretary of the medical board, Dr. Mueller was brought to court again and fined fifty francs and legal costs. He appealed to the district court (Amstgericht), where the six judges found him not guilty of attempting medical practice. Right to a title, however, was denied because satisfactory degrees were not offered in evidence. Mueller was given ten days to produce the documents, but he failed to attend to this in his elation over the partial victory. His medical opponents appealed to the superior court (Obergericht), and again without counsel the chiropractor

found himself in court, this time facing a severe tribunal composed of five judges.

With nearly fifty of his patients in court Dr. Mueller submitted his diploma, a California license and other papers. The *staatsanwalt,* or state's lawyer, urged that the defendant was merely practicing massage and hypnotism, the latter a criminal offense. After heated arguments Dr. Mueller asked to give a demonstration of chiropractic in the courtroom. In response to his request for a volunteer every one of the assembled patients raised his hand, then an elderly Swiss was called. Bared to the waist he was placed on a long seat known as the convicts' bench. After explaining impingements as the cause of disease, Dr. Mueller made an adjustment on the witness' spine. As the customary snap sounded the jurists looked at one another mistrustfully. The *staatsanwalt* admitted there was nothing hypnotic about the treatment and the court decided that it was not tantamount to practicing medicine or massage, whereupon the verdict of the lower court was sustained. The fact that chiropractic was represented in the United States by a large following, impressive schools, photographs of which were exhibited, and by properly engraved diplomas, carried weight with the superior court, but the privilege of using a degree un-

recognized by Swiss universities was denied as before.

This occurred May. 1, 1928. On July 4 Dr. Mueller was called before six bearded members of the medical board. The president announced that they had been advised by the court to grant a license to practice chiropractic in the canton of Lucerne. He added: "As we do not know what you really do practice we would kindly ask you to give us an explanation of this American health science, as you call it."

Avoiding medical terms, Dr. Mueller set forth the disease theory according to D. D. Palmer. When he said that the germ was the effect and never the cause of illness, he was asked what he thought of Koch and Pasteur. He replied that the world would have been better off had they confined their efforts to the plow. His inquisitors desired to know if he would be willing to attempt to cure cancer. Dr. Mueller parried by declaring that no practitioner, medical or otherwise, ever cured anything, but that this was brought about by the recuperative forces of nature, which when properly set in motion performed the actual cure. He hazarded the additional statement that to accept a cancer patient in Switzerland would be especially risky owing to the extent to which serums were em-

ployed, requiring six months or more for elimination from the system. Something of the record of cancer cases under chiropractic treatment in the United States was told.

The physicians of Lucerne instead of issuing a license to Dr. Mueller, three months later turned his case over to the police and military department, which sent an imposing order forbidding practice at once, since he was unable to diagnose. Dr. Mueller wrote back that chiropractors did not diagnose and continued his practice. Patients grew in number very rapidly. Newspapers, denying space for advertising, ridiculed chiropractic as wild and woolly art from the far West, comparable with powwow and voodoo. Whereupon, the solitary champion informed the travel bureau he would communicate this slander of American institutions to the American press unless it were checked. Tourist business is paramount in Helvetia. As a result the Elbert Hubbards of Lucerne withdrew their barbs, not knowing that the real Elbert Hubbard had upheld chiropractic in his immortal writings.

Several times thereafter Dr. Mueller was obliged to appear in the lower court, through the diligent pursuit of the medical doctors, who shared none of the lenience of the legal authorities. Leaving his practice in the charge of a brother, Dr.

Mueller opened an office in Zurich. First he organized a society of sixty patients in that city, and submitted their request for his services in Zurich, various credentials and the decision of the superior court of Lucerne to the *regierungsrat*, the highest authority in Zurich. He was granted ten days to practice, pending a review of the credentials and data submitted. The time expired and the dictum of the *regierungsrat* was not forthcoming, so Dr. Mueller continued with his work. He was subpoenaed again to appear at the district court in Lucerne, where medical representatives alleged that he had not obeyed court orders and was subject to a fine of 300 francs. Once more diplomas and degrees were put in evidence and through a lawyer effort was made to induce his prosecutors to seek information as to the status of chiropractic through the Swiss legation at Washington, D. C. The outcome, however encouraging from a legal standpoint, has borne no promise of immunity from medical assault. Meanwhile the Chiropractic Society in Switzerland holds an evidently enthusiastic membership and issues an official magazine.

An Egyptian Story

A lone battle unlike that of Dr. Mueller was waged by Dr. Makine B. Maroon, of Bab-El-Hadid

Square, Cairo, Egypt, who was arrested in 1925. In this case, however, the court upon finding the defendant not guilty advised the medical authorities to refrain from molesting the chiropractor.

The career of Dr. Maroon has the flavor of some old Oriental narrative. The son of an influential family in upper Egypt, he journeyed to America about 1918 with two other young Egyptians to study medicine. When they reached the United States they chanced to see the prospectus of a chiropractic college. Maroon's companions ridiculed the system and went to the University of Chicago for their medical course, but both died of pneumonia. Maroon, impressed with the chiropractic theory, undertook its study at a prominent school. He practiced in the United States for a time and returned to Egypt in 1923. His father censured him for not adopting medicine in fulfillment of his hopes and said that his son had squandered his time and money.

An aged paralytic, bedridden for years and regarded as incurable, gained Dr. Maroon's attention. He told his father he would prove the worth of chiropractic by treating the old invalid. Fearing further humiliation, the father sought to dissuade him from the experiment, but the son had the paralytic carried to Cairo and lodged near his

office. Daily for months he patiently manipulated and adjusted the spine of the sick man. Many residents heard of the treatment and a widespread interest developed over the case. When at the end of three months the invalid was able to stand with crutches the partial recovery was hailed as a miracle, and thereafter Dr. Maroon's office became the Mecca of ailing hundreds. Followed then the charges of the medical rivals, but the court, as already stated, bade the prosecutors to let the chiropractor alone.

The story of Dr. Maroon was published in *The Life Line*, by the American Chiropractic Association, in Syracuse, N. Y., October, 1930.

Evasion in Denmark

In Denmark chiropractic has encountered ultra conservative prejudices and has gained almost no prestige whatever. A law dating from 1794 is in force and purports to prevent the healing efforts of quacks. That all but doctors of medicine are thus indicated is apparent in that nobody but a physician graduated from Copenhagen University may treat the sick. Any other kind of healer is presumed by law to be preventing medical aid in a given case, whether or no the treatment is believed to be dangerous.

Due to a provision that a vertebral adjustment or other treatment may be administered by some one outside the medical profession upon the written prescription of a physician, a sort of chiropractic bootlegger has come into existence. At Nykobing it is said that three physicians, who are not members of the medical association, devote their time largely to prescribing vertebral adjustments, for which the chiropractors pay ten per cent of their fees from each case thus provided. These men make a tour of the chiropractors' offices, appearing about once every fortnight. They participate in X-ray fees as well as in the customary three dollars charged for each treatment.

This method of evasion exists throughout Denmark. The medical men contend that chiropractors are unqualified to diagnose and insist that the actual vertebrae requiring adjustment be designated before the chiropractor receives the patient. The supreme court in 1929, however, found chiropractors not guilty in cases where such designation had not been given. Spinal adjustment was adjudged not dangerous. Following this decree the medical association undertook without apparent success to have the licenses of the three accommodating physicians revoked.

CHAPTER IX

Organizations

THE Universal Chiropractors Association, formed in 1906, was a protective organization by which legal assistance was afforded chiropractors especially in states where laws were inadequate for protection. It offered aid in malpractice suits. The work was maintained for twenty-four years, when, with the American Chiropractic Association, it was merged into the National Chiropractic Association, in the late autumn of 1930.

The American Chiropractic Association, organized a few years prior to this merger, functioned as a competitor of the Universal Chiropractors Association. Its membership never attained 2,000, considerable sympathy being alienated by its resolution to recognize physio-therapy and the modalities as pertaining to chiropractic. The members of both these organizations were included in the National Chiropractic Association.

A part of a general movement toward centralization and co-ordination, this latter association became especially concerned with matters of

protection. It will be discussed further in this chapter. With headquarters in New York City its first elected officers were Dr. Lillard T. Marshall, Lexington, Kentucky, president; Dr. C. E. Foster, Jacksonville, Florida, vice-president; Dr. B. A. Sauer, Syracuse, New York, executive secretary; Dr. Lee Fuller, Terre Haute, Indiana, treasurer.

The International Chiropractic Congress constitutes a central advisory power for dealing with the general problems of chiropractic throughout the world. Its scope is international; its government democratic. Through the congress help has been extended in various states requiring campaigns of publicity. It plans to develop general, constructive propaganda of an educational nature and to support a research department. Eventually it may be empowered to decide upon the validity of proposed modalities or technics, whose yearly advocacy has produced much vain discussion without revealing notable advantages over established methods.

The International Chiropractic Congress aims to co-ordinate the large number of chiropractic organizations, which for many years under their own leaderships and groups continually labored at cross purposes. Conflict of effort was apparent in

state, district and county associations, being heightened by antagonistic modes and professional rivalries.

The congress is composed of three divisions: the International Congress of Examining Boards, the International Congress of Officers of State Chiropractic Associations and the International Congress of Educational Institutions. As such it constitutes a federation whose individual organizations preserve their identity of effort in a work that covers the entire field of chiropractic. Under a board of governors elected from the three subsidiary organizations an executive committee chosen by the board has active charge of all business.

Uniform Education

Barely a decade after the establishment of the first chiropractic schools it was perceived as a necessity that fundamentals must be safeguarded through uniform courses of instruction. Peril had arisen with the correspondence courses and "diploma mills," by which unrepresentative agencies offered to train and qualify anyone as a doctor of chiropractic in a few months or even weeks. Some of these courses could be acquired on payment of fifty dollars, which sum likewise included a certificate or diploma. Another danger lay in the di-

vergent views of the better schools, threatening an eventual cleavage or undermining of the fundamentals.

As early as August, 1917, the International Association of Chiropractic Schools and Colleges was organized at Davenport, Iowa. It was an attempt to reconcile the educational policies of all schools of recognized standing, presumably in accordance with the regime of the "Fountain Head," the Palmer School of Chiropractic. A close affiliation, however, proved difficult to bring about, although some advance was made towards unifying educational methods in several important schools.

Even less actual success attended the initial task of combining state organizations. This was projected at a meeting in Kansas City, Missouri, October 1, 1921, but proved almost barren of results. The same year an attempt was made to establish a national board of examiners at Palmer school, during the annual lyceum, or homecoming of graduates. J. Ralph John, D.C., was elected president of the new board, and for two years examinations were held, then the undertaking was abandoned.

From these beginnings, nevertheless, sentiment was stirred in chiropractic journals and the urgent need of a general amalgamation of forces became apparent to the majority of educators and practi-

tioners. The early efforts were not in vain, as was demonstrated in 1926 when the more auspiciously launched International Congress of Chiropractic Examining Boards found potential allies from schools and state associations. By September of the following year, when a convention was held at Memphis, Tennessee, there were, in addition to eighteen examining boards, seven colleges and schools represented.

The first officers of the International Congress of Chiropractic Examining Boards, elected in Kansas City, Missouri, in 1926, were Dr. Eugene Cox, of North Carolina, president; Dr. Anna Foy, of Kansas City, first vice-president; Dr. R. C. Ellsworth, of Oregon, second vice-president; Dr. Sylvia L. Ashworth, of Nebraska, third vice-president; Dr. E. J. Bullock, of New Hampshire, fourth vice-president; Dr. Harry Gallaher, of Oklahoma, secretary-treasurer. The board of directors included Dr. J. Ralph John, of Maryland; Dr. Maud Hastings, of Tennessee; Dr. C. Sterling Cooley, of Oklahoma; Dr. Myrtle Long, of Iowa, and Dr. W. J. Robb, of Kansas.

The inclusion of strong working units from the three classes of organizations was effected at the annual meeting in Chicago, September 3, 4 and 5, 1928, when the International Chiropractic Con-

gress was created. Of the three branches of the congress the officers of the state associations shoulder most of the work, operating through the district and county associations to the individual practitioner and the lay public. Constitutional provision for membership affiliation on the part of all individuals in state associations is designed to engender a still greater cohesiveness in the profession. The congress is represented in thirty-four states and is designed to become the co-ordinating power in the chiropractic world.

More than 200 delegates were present at the Omaha convention in 1929, where enthusiasm and co-operative spirit were demonstrated on every hand among the representatives of state associations, state boards of examiners and educational institutions. All groups and recognized schools within the profession were represented at the five-day assemblage. Interfering in no way with the autonomy of the individual divisions, the congress proved inspiring by its tolerance and by its program of development for the interests of all constituents.

The evolution of the International Chiropractic Congress, whose influence and activities are of such recent origin, is notable as one of the outstanding achievements in the history of chiroprac-

tic. So innumerable were the conflicts of creed and leadership in the majority of states of the Union that many predicted failure for this far-reaching merger of interests. The Omaha convention surprised the most sanguine delegates by the complete harmony and purposeful co-operation that prevailed. The leaders of chiropractic had been brought together, and their deliberations, based upon nearly three decades of continuous battle for existence, revealed a practically unanimous point of view and a comprehensive vision of future requirements.

Program of the Congress

As far as finances might permit a tentative program was outlined. Briefly, it included a plan for an international public educational department, the endowment and proper maintenance of chiropractic schools and the advancement of chiropractic science; a policy of resistance to adverse propaganda from the medical profession and the securing of favorable legislation; legal representation and publicity; scientific research and the promotion of public health, the establishment of chiropractic sanitariums; the organization and unified support of the lay friends of chiropractic; the standardization of methods of instruction in chiropractic

schools and colleges, through meetings of chiropractic educators and the investigation and supervision of schools; the codification of laws governing professional practice, with a view to ameliorating the conflicting state laws and engendering an eventually complete reciprocity among states as concerning licensure; the publication of a first class professional journal as a medium of communication calculated to bring all members of the profession into closer relationship, also to serve as an educational instrument; the establishment of a legal and legislative department operative wherever the congress is represented, whose functions will include the maintenance of present adequate chiropractic laws and the promotion of legislation where inadequate or non-existent; the securing of a status of equality for the chiropractor among the professions and the right to enter all hospitals, thereby vindicating his position in the service of health.

This last resolution touches upon a subject which in recent years has especially agitated chiropractors. In line with their contention that the individual is constitutionally entitled to select such treatment against disease as he deems best, stands the impeachment of the present hospital system.

The American Bureau of Chiropractic is an organization of laymen and practitioners formed in

1925 for the purpose of advancing the science. It disseminates the evidence of recoveries through chiropractic and is engaged in a continual educational campaign, being at present represented in forty-two states and in England, Canada, France, Belgium, Greece and New Zealand. The membership is largely made up of men and women who have been chiropractic patients. For the first time a convention was held jointly with the annual lyceum of the Palmer School of Chiropractic, August 24 to August 30, 1930, and 2,500 delegates were reported in attendance. A parade of 250 automobiles preceded the opening session, enlivening not only Davenport but the adjoining cities of Rock Island and Moline, Illinois.

Work of the "A.B.C."

The platform of this laymen's organization, commonly referred to as the "A.B.C.," is as follows:

"Chiropractic is a philosophy, science and art of things natural, a system of adjusting the articulations of the spinal column, *by hand only*, for the correction *of the cause* of disease.

"The purpose of the American Bureau of Chiropractic is: to organize laymen to secure and maintain legal recognition of the science of chiropractic and its practitioners, to undertake a broad

and intensive campaign to present chiropractic to the people, to gather and disseminate authentic information about the accomplishments of chiropractic, and to maintain a publicity bureau for the benefit of its members."

Many testimonies were given at the sessions held at the auditorium of the Palmer school, not only personally but by graphophone, which included statements of cases on tuberculosis, cancer, sleeping sickness, spinal meningitis, arthritis and other diseases.

Throughout the United States exist 145 auxiliaries of the A.B.C., each having from eight or ten members to several hundred. It is not uncommon to find present at meetings of some of the auxiliarises as many as 500 persons, evidencing the enthusiasm of a membership composed of patients or former patients and their families. This zealous activity is an almost cult-like florescence such as might have sprung from the seeds of philosophy sown by D. D. Palmer. His teachings of the innate and educated intelligences, of vital energy—tone—and that both ancient and modern metaphysical argument woven about the theory, remain among this far-scattered but closely organized membership.

The fourth annual "get-together" in New

York, February 21, 22 and 23, 1931, drew as many as 7,000 friends of chiropractic. It was decided to hold the next anniversary in the spacious Madison Square Garden. A thousand persons had been unaccommodated in the generous ballroom of the St. George Hotel, Brooklyn.

The American Bureau of Chiropractic is said to have been born from the single idea of having bail bonds ready in event of arrest. Dr. William H. Werner, founder, was a step ahead of his colleagues in preparedness, owing to the rigors of professional life in New York. Other chiropractors came to him for advice, until a small nucleus for a protective association was formed, eventually becoming known primarily as a layman's organization.

This lusty child of chiropractic came at a time when prophecies from the medical camp were calculated to inspire dread. One official of the American Medical Association had said that chiropractic could not survive more than two years at the most. It was indeed but a year since catastrophe had fallen upon the Universal Chiropractors Association, and affairs at Palmer School were in jeopardy. Many young students refrained from continuing their courses; not a few practitioners began to look toward other means of livelihood.

Dr. Werner established radio station WMCA,

and rallied the field with encouraging addresses. These had considerable effect and the infant organization began to grow rapidly. Following the nucleus formed at Woodhaven, Long Island, auxiliaries sprang up at Staten Island, Brooklyn, then in Illinois, New Jersey, Rhode Island and elsewhere. On March 17, 1927, the American Bureau of Chiropractic opened an office at 100 Fifth Avenue, New York. There it is now maintained as a New York State corporation limited to state activities, but its charter denotes it as a membership corporation with international scope. None of its officers receive a salary or any money from the organization. There is an international board functioning as a governing body, being composed of nine laymen and chiropractors. The international officers are Dr. William H. Werner, president; Dr. C. P. Eifertsen, vice-president; Dr. F. C. Zinke, treasurer; Dr. G. Vernon James, secretary; Dr. Anthony Cuffe, E. Gottfried Stenberg, Joseph H. Dunn, Michael Hogan and Herbert Foster.

The publicity program of the A.B.C. has become extensive, conveying the chiropractic message through various channels to the public. Dr. James Workman, of Santa Ana, California, president of the California unit, reports that radio lectures of fifteen minutes will be given daily at stations in San

Diego, Los Angeles and San Francisco. Acclaimed by many individuals as the most outstanding publicity yet achieved for chiropractic was the float which won a special prize at the Pasadena tournament of roses on New Year's Day, 1931. Several hundred thousand persons watched the flowered displays representative of towns, industries, education and many prominent institutions. The chiropractic float, carrying the legend "Dawn," was artistically symbolical of chiropractic. The project was planned and the design executed under the direction of Dr. Workman.

Years of Reorganization

To gain something of a picture of the present National Chiropractic Association, which embodies much of the professional strength of chiropractic, it is necessary to review a little of the history of the two organizations whi h formed it. The A.C.A. was comparatively young at the time of the merger, but is said to have the larger representation in the membership. Many of the U.C.A.* members

*The Universal Chiropractors Association was organized in 1906 in the basement of Palmer School, 828 Brady Street, Davenport, a year after the school had been moved to that location. The project was conceived by Hod Norton, Ernest Erz, B. J. Palmer and about sixteen others. A chiropractor had been arrested in La Crosse, Wisconsin, "for practicing without a license," and there was no money for his defense. It was realized that the danger was common to all. Tom Morris, of La Crosse, was engaged as counsel and Dr. Palmer as secretary, and both continued in office uninterruptedly until the tempestuous convention in Chicago, 1925.

dropped out during the last five years of its existence, 300 in a single year. Though the career of the U.C.A. had been very notable, though it had handled 3,300 court cases prior to the year 1927, and under the guidance of Dr. B. J. Palmer and Tom Morris, national counsel, had prospered financially, it could not withstand the conflict between school and field.

The first shaft that nearly shattered the Universal Chiropractors Association fell in 1924. It was loosed from that mysterious but alluring object, the neurocalometer, which, like Pandora's box, seemed to hold a cloud of mischievous spirits. But a single touch by the tutelary genius, "B.J.," was needed to shower the chiropractic realm with darts of controversy. Scarcely a leader but felt the sting. The intimate friendship between Tom Morris, counsel of the association, and Dr. Palmer, which had existed for twenty years, was broken and the association split into factions. It never regained its support or prestige. Presently Palmer School itself received a body blow through faculty disagreement, and, as already narrated, was thereafter saved from impending ruin by the appointment of a board of advisers.

Doom of the U.C.A.

The story of this disruption within the U.C.A. is intimately connected with the facts set forth in Chapter III. Dr. Palmer, recognizing the seriousness of the situation throughout the profession, brought about by the leasing offer for the neurocalometer, sought to have the device endorsed by his co-workers. One after another declined to lend his name to the product. Doctors Harry Vedder, James Firth and Steve Burich, now of Lincoln College, were then on the faculty of Palmer School—on Dr. Palmer's pay-roll. But they refused to give their endorsement, as did such other intimate associates as Doctors C. M. Guyselman, Lee Fuller, Elmer Schillig and Black, of Texas.

Dr. Palmer made his final appeal to Tom Morris, the lawyer. Together they had planned the policies of chiropractic since the earliest days. Together they had formulated that tenet which they knew to be paramount and irrevocable: the right of the sick to get well. Dr. Palmer made it clear that the situation was desperate and that Morris alone could extricate him.

Aware that refusal meant the severance of friendship, Morris nevertheless declared that their policy faced the crucial test. As they had always upheld the right of the sick, so must they uphold

the right of the chiropractor, for the cause was common to both. A neurocalometer, which Tom Morris heard could be made for thirty dollars, could not be forced upon the profession at a figure so exorbitant as to be commensurate with an interest of 7,000 per cent.

This private appeal by Dr. Palmer occurred at the Chicago Convention of 1925. Morris addressed the delegates, enunciated again the principles which condemned the nerve-tester, and tendered his resignation as chief counsel of the association. Dr. Palmer followed with his resignation as secretary. Stormy scenes occurred. The convention was asked to decide which of the two leaders should be retained. Dr. Heinrich Derringer, of New York, one of the most influential chiropractors of the country, flayed Morris in an indignant speech. Three years later on his death bed, it is said, he called for Morris to come and forgive him — an example of that spirit which prompted Dr. Palmer and his wife to send a floral tribute to the funeral of Tom Morris in New York in September, 1928. The outcome of the vote on the convention floor was that Morris was reinstated. The office of the association was moved from Palmer School to the suite occupied by the attorney in La Crosse, Wisconsin.

This was the climax of events preceding the loss of control by Dr. Palmer. He had returned from a world tour to discover the Palmer supremacy all but overthrown. That autocracy, which the leader himself had often confidentially discussed with his immediate associates, but which he had found could not be alluded to on the lecture platform, was plainly doomed. The era of democracy for chiropractic apparently had begun. But the membership of the old organization was hopelessly split.

The Democratic Urge

The undercurrent of activity in chiropractic organization for many years has tended to displace the authority of the educators. The dream of far-seeing leaders has been to establish a government for the profession that would give full expression to the chiropractic field at large. Time and again the rivalries of schools, which have controlled their graduates to an astonishing degree, have developed political leaders, whose service has been partisan, tending to prevent that solidarity which is of especially vital importance to chiropractic. Often young leadership has been blamed for the outcroppings of inherited conditions, and the vaunted need of more dominating leadership has but confused the issue. The hopes of the more democratic leaders

have been crystallized in the forming of the International Congress and the new National Chiropractic Association.

The Chiropractic Health Bureau, organized in Davenport, Iowa, by Dr. Palmer, September 4, 1926, has gained strength as a protective association, having taken up insurance after the methods of the Universal Chiropractors Association though charging somewhat higher rates. As a non-profit organization it undertakes to insure chiropractors against malpractice liabilities and the losses incidental to prosecution. The object of the bureau is broadly stated in its constitution as follows:

> The organization shall aim by research, publicity, combative and defensive legislation, lawful legal protection, cooperation, and in every legitimate and ethical way, to promote and advance the Philosophy, Science and Art of Chiropractic and the professional welfare of its members, to the end that every locality shall have knowledge of Chiropractic and have the unhampered right and opportunity of obtaining the services of chiropractors of unquestionable standing and ability; this organization without reservation affirming its belief in the justice of the principle of allowing the sick to seek and obtain the services of practitioners of their own choice, of whatever calling, or school; and this Bureau to undertake and attempt everything that it can legally and lawfully do in the defense of this principle.

The officers consist of a president, who holds office for five years, and three vice-presidents, who

have three-year terms, also a secretary and treasurer each having terms of one year. All officers are elected. Members pay dues of ten dollars yearly and are subject to assessments of an equal amount, when in the opinion of the officers more funds are necessary to carry on the business of the bureau. The association undertakes to defend members who may be wrongfully accused of practicing medicine, surgery or osteopathy without a license, and also members sued for malpractice, provided always no other means or agency besides chiropractic have been employed. Any other criminal charge deemed unjust by the bureau, preferred against a member, calls for its service. The prosecuted member is expected to employ his own counsel, who looks after the case under the direction of the general counsel of the bureau. If the defendant and his lawyer comply with the provisions of the constitution of the bureau, the latter reimburses the defendant for the fees paid to the local counsel, not exceeding fifty dollars, and also for taxable costs and penalties.

Insurance

An announcement from the Chiropractic Health Bureau, dated July 28, 1930, showed a total membership of 625 chiropractors, living in forty-four states, six Canadian provinces and in foreign

countries. The total receipts from all sources from March 1, 1930, to May 31, 1930, were reported as $9,335.31, and the total bank balances of the bureau in all funds, as of February 28 of that year, $15,372.99. Disbursements of three months, to May 31, amounted to $6,519.30. Between February 28 and May 31 cash reserves gained $2,816.01.

Some additional idea of the sums previously expended for protection within the profession is afforded by a statement on the part of Dr. Waldo G. Poehner, printed in the *U.C.A. News*, of October 15, 1927, to the effect that the cost of administration of the Universal Chiropractors Association in the recent past had reached the sum of $122,000 a year, the membership being 1,450. In 1927 the receipts and a small balance carried from the previous year totaled $73,877.72, of which $71,856.66 was disbursed. The total disbursements of the previous year had been nearly double that sum.

Receipts from assessments during the fiscal year ending July 31, 1924, were $208,341, the total receipts, $235,297.46. The disbursements exceeded the receipts by $41,734.12. Receipts in 1925 and 1926 fell to $172,000 and $106,000 respectively, the disbursements each year slightly exceeding the income.

The large protective associations have operated in a manner similar to those beneficiary organizations devoted primarily to insurance. Profits and losses have been shared by the members. Surplus has been used against litigation and assessments have been based on the requirements of defense. Premiums have ranged from one dollar a year, for state affiliations, to the present average of sixty dollars paid by members of the Chiropractic Health Bureau.

In the conduct of cases the national counsel, as a rule, went to the scene of the action, although a local attorney was engaged. Experts, medical as well as chiropractic, were hired and witnesses subpoenaed. Thus the expense of cases ran from $1,500 to $5,000; in a single instance, $10,000.*

In 1926 the board of directors and management of the U.C.A. received criticism over the handling of affairs. A petition was circulated among the members for the purpose of having the records of the association investigated. Further dissatisfaction was voiced by those who objected to the salary paid the general counsel. A reply of protest was received from the association, which had moved from the Palmer School of Chiropractic in Davenport to the Linker Building, La Crosse, Wisconsin. The

*From a statement by Dr. B. J. Palmer.

attacks were alleged to come from the promoters of other defense organizations and, it was declared, were formed of misstatements and half truths. It was pointed out that in Texas the national counsel had won in forty-five criminal cases and lost to local counsel in only four cases during the period between January 20, 1925, and February 15, 1926. The total records showed that the U.C.A. had won every malpractice case except one in twenty-two months.

Before the petition to the members had gained the required signatures, the officers of the association voluntarily conducted an investigation of the records and a report was sent to all members. The publication of figures came too late, however, to offset the growing disaffection in the membership, whose confidence had been jarred by the criticism and strife. From this year to the final toppling of this pillar of chiropractic, support waned and it was a considerably diminished group that finally entered the merger with the American Chiropractic Association under the new name of the National Chiropractic Association.

Signs of an approaching end to a long era of rivalries and antagonisms within the profession appeared in 1930 with the strengthening of the International Congress and the amalgamation

which brought the National Chiropractic Association into being. The feudal age of chiropractic indeed seemed to be passing. The seriousness of the strife had come to be understood in every corner of the entire field. Less patience was being shown toward constantly rising new leadership of an egotistical stripe, grotesquely patterned after the pioneers. On the other hand more indulgence was developing toward sincere, self-effacing effort, for co-operation was seen as the prime need. Thus the fighting spirit, that inherent radicalism inherited by the sons and daughters of chiropractic, began to be tempered with a sense of calm maturity and the firmer dignity of recognition. The portals had finally opened, Law had smiled upon the newcomer and now Science, wondering, had ceased to sneer.

Before the end of 1931, it is said, the International Congress of Chiropractic and the National Chiropractic Association may unite their forces. Now working in harmony, this merger, embracing as it would practically all reputable elements, would constitute the greatest co-ordinative move in chiropractic history. No rivalry exists between these organizations and the American Bureau of Chiropractic. The latter with its lay membership

stands closer to the general public and is primarily intent upon legislation.

The difficulties that obtain in any kind of professional organization, where intense individualization operates against co-operation, have been greatly multiplied in chiropractic. Its exponents have been hard to lead and as addicted to dispute as were the first few, who fought at every fleck and flicker in the chiropractic kaleidoscope. Continually working with the hands tends to make a man or woman self-sufficient, persecution breeds independence, and so nothing short of an extreme abiding danger common to all would have called these professionals to the colors and imbued them with an organization spirit.

Today's leaders in these national and international organizations are aware of the problems and pitfalls within and without the profession. Some of the leaders are astute politicians, who have had to cope with the medical adversary in the campaigns of years. They have seen pretentious organizations come and go. They will avoid, for example, the errors that doomed the National Federation of State Chiropractic Associations. Here was a body that struggled for eight years before it collapsed for lack of support. Begun in 1912 and sponsored by the heads of the largest

schools, dissension quickly deprived it of the *vital force* necessary to chiropractic. Dr. B. J. Palmer, disapproving of the management, lost interest and penned a diatribe from Davenport which apparently sealed the doom of the Federation, which, however, survived at least in name until 1917, when reorganization occurred. But even with new blood the sinews failed to respond. The far-flung, heterogeneous associations failed to line up, and the fault lay mainly with the individual. Group consciousness had not yet been forged from the raw metal of insurrectionism. By 1920 the National Federation of State Chiropractic Associations had ceased to open its few dust-laden books. / It had never gained strength, nor had it accomplished any memorable benefit, although a journal—*The Backbone*—was published from Chicago, where the headquarters were situated. The federation merely added to the inauspicious precedent which threatened to becloud forever any attempt to organize chiropractic on an adequate scale. That some genius for organization has been born out of past experience seems evident from the more recent successes and the scope of activity. With the waning domination of the schools, doctors in the field have come to guide the destiny of the profes-

sion, helping to render it immune from pedagogic strife.

The comparative strength of the National Association and the International Congress is variously estimated at present. On one hand, recognized cohesive elements, which have survived many years of changes and disruptions, denote solidarity. They represent a surviving old guard inured to long campaigns and the hardest winters of chiropractic. On the other hand strong factors from the state associations and educational forces of the country are combined in a mighty constructive effort. A new idealism has sprung up on all sides. Many of the members of one national association are members of the other. The present keynote is Co-operation. Less tolerance than ever before exists for selfish motives and local aggrandizement, so that the plans for a still greater legion born of these far-flung forces may indeed be fulfilled in the near future.

CHAPTER X

Democracy or Autocracy

THERE seems to be no immediate likelihood of an alliance between the National Chiropractic Association and the International Congress with the Chiropractic Health Bureau. The stumbling block is the mechanical accessory, in spite of present policies which aim to circumvent it. Not that the former young organizations have embraced the philosophy of the physio-therapists. Such is far from the case. It is that their leaders believe that any commandment against the use of modalities will do more harm than good. That any present organization or individual has enough power to induce all practitioners—especially all "mixers"—to confine their service to manipulation, is deemed preposterous. It is strongly felt that the more rigorous the policy the wider will become the cleavage between "straights" and "mixers," and to prevent this, vigorous efforts are now being made. It is believed that the integrity of chiropractic can be maintained only by a gen-

eral professional recognition of the sufficiency of its theories, and in this are agreed all leaders of the national organizations, in and out of Davenport.

The respective policies of the N.C.A. and Congress and those of Dr. Palmer, as controlling the health bureau, are as follows: The advisory groups of the two first named are disposed, for the present at least, to let the status of chiropractic be determined by a campaign of education throughout the lay and professional spheres. By unremitting emphasis, the superior advantages of chiropractic care and service will become established more firmly. The prestige of the theory will be enhanced in public opinion; the chiropractor relying too much upon modalities will be inspired to adhere to first principles. Of more value to the practitioner than side money from modalities is a new and greater recognition of chiropractic. But if chiropractic is to become but a single mode among many, the adjusting table but a dingy relic among the brave accoutrements of a modern drugless healing establishment, then the very foundation will have crumbled, and "straight" and "mixer" alike will be adrift in the fickle waters of an uncharted sea.

While fully comprehending that the proof of the pudding is in the eating and that the public, in any event, will decide whether to have its chiro-

practic "straight" or "mixed," Dr. Palmer is at present diametrically opposed to concessions. He sees chiropractic as a delicate prodigy requiring a firm hand, its inherited noncompliance as something to be deplored but conquered. As this book goes to press news comes of his refusal to adopt the policies of the N.C.A. and Congress, which he labels "straw organizations." The following are excerpts from an article by Dr. B. J. Palmer in *Fountain Head News*, of February, A.C., 35 (*alias*, February, 1931). The article is entitled "The ACA-UCA Union—What Does It Mean?" Purporting to give primarily an analysis of the new National Chiropractic Association, Dr. Palmer takes the opportunity of stating his own position in unmistakable terms. This has created a sensation among the leaders of the organizations named, and much uncertain weather is prognosticated. Like a presidential message in parts, it lays bare the vital needs of chiropractic, constituting an important record at an epochal period. After discussing the careers of the merged associations, he writes:

Dr. Palmer's Criticism

"The UCA now passed into the hands of the wrecking crew—those who thought more of their own pleasures than a sacrificing service to a cause; . . .

"Naturally, and as is to be expected, the profession gravitated into two groups — those who were for a firm controlling hand, and those who wanted to run wild without restraint. Those who were for that sort of thing joined the ACA and helped on its objectives, . . .

"The ACA, therefore, was born of opposition to the UCA and all it stood for. It was a playground for mixers who wanted the fruit of *Chiropractic* without earning the right *to Chiropractic* by helping to sustain it. . . .

"Both organizations . . . were granting everything medical any Chiropractor wanted. . . .

"When any organization ceases to legitimately and objectively serve those who pay its dues, they drop out, and it drops down. Both organizations were *existing* in name. . . .

"Overtures were made to me, when UCA Secretary, to unite them. It was impossible. The UCA was *(then)* serving Chiropractic, the ACA was serving Chiropractors. When I passed out of the picture, overtures were made to Tom Morris. It was still impossible. The same difference in objectives and business policies existed in Tom Morris' mind as in mine, therefore the same barrier. When Tom Morris passed out of the picture, and the UCA passed into weaker hands, overtures were

again made. It now became a possibility. Were not both serving *the same* master? One thing positive faced them both—obliteration—or amalgamation. . . .

"The *strength* of any 'Chiropractic' organization rests *solely* and alone in *its Chiropractic objectives*. . . .

". . . I restate now . . . what I have told the officers of that International Congress from the beginning, and annually ever since . . . that The International Congress *would live* if it set forth, adhered to and deliberately maintained Chiropractic objectives; . . ."

Dr. Palmer follows with a prediction that the National Chiropractic Association and the International Congress will combine, but he doubts that the united protective associations will accomplish anything, because of their predisposition to compromise. ". . . give every Chiropractor anything he wants in Chiropractic and thus the more quickly force him into his own downfall and ruin—legally, legislatively, commercially, as well as economically."

He most emphatically declares the need for strong, experienced, centralized leadership. The A.C.A. and U.C.A., he says, suffered because of too many leaders. The International Congress was con-

ceived of a desire to "get the leaders together." He adds: "They have. Now none follow; *all* direct. Reminds me of a Mexican or Chinese revolution—all generals and no privates.

"There are enough men on each side to block any definite program that anybody on either side might propose. . . .

"There are some Chiropractors in that present united group [presumably N.C.A.] that are so prejudiced personally, and antagonistic Chiropractically, because of the years past having developed it into them, that they will continue to sacrifice everything Chiropractic, rather than yield now to its better interests, . . . There are other Chiropractors in that combined group who are so interested in the 'peace-at-any-cost, pacifistic, giving preference to amalgamation glory,' that they will sacrifice Chiropractic to attain any or all those ends. There are some mighty fine, high-principled Chiropractors, also, in that present officership of the united associations, who, having had no experience, think that certain ways are the correct ways to attain certain ends.

"I know well the man or men who have engineered this amalgamation. For them, their motives and sincerity, I have only the highest admiration. . . . The vital question yet remains—what can be

the possible program that can spring from such a mixed conglomeration of men, . . .? Outside of those groups . . . there *is* and *has been* existing one group of Chiropractors who have builded an organization that thot more of Chiropractic than it did anything else; who are opposed to a 'peace-at-any-price' program if Chiropractic is to be sacrificed; will not endorse any amalgamation where Chiropractic comes off second best. If it can be shown that Chiropractic is the first, great, and only objective of amalgamation, it might change the complexion of much. Can this be done, other than with high-sounding titles, words, and promises, evangelical enthusiasm, of which our profession has had too much? Time will tell!

"If human nature will reverse itself on one side of the equation, and every man lay down his cherished theories of self-independence, *and all resign themselves to do only that which is best for Chiropractic* then—and not until then—will this organization be of value *to Chiropractic.* If that were done, the problem is solved; . . .

"In rebuttal to some of these statements, any one of these organizations will say that they *have been* serving Chiropractic. They use *the name* 'Chiropractic' for their organization. But, when any organization will declare itself *for* everything

medical, including tonsillectomy by surgery, and deny the efficacy of Chiropractic adjustments, is *that* serving Chiropractic? When another organization will take page ads of medical apparatus and declare itself in favor of medical methods in substitution for Chiropractic methods, is *that* serving Chiropractic? When another organization will meet year after year and its delegates are cautioned about discussing Chiropractic, for fear it will cause a rumpus in the path of a serene and happy meeting, is *that* serving Chiropractic? Citations could be given without end. . . .

"This new organization *can be* made to be a dominant, strong factor in the future of Chiropractic and be of incalculable value to Chiropractors."

Dr. Palmer's Platform

Here Dr. Palmer suggests strict adherence to chiropractic as defined, a fuller study of the field of service, a "no pleading guilty" policy at trials of malpractice suits and not seeking to get out of each suit in the cheapest way possible; that each case be carried through and tried on its merits, regardless of cost; no settling cases out of court or pleading guilty to save expense; a prompt and honest settlement of legitimate claims on the part of members;

a definite inter-state legislative policy and provision for defeating adverse legislation.

He recommends a definite program among affiliated state organizations for the development of a fair and reasonable chiropractic educational standard, providing for "new chiropractic growth . . . to take the place of those who numerically are rapidly dying out."

On this score Dr. Palmer condemns the late American Chiropractic Association for having in instances encouraged "the raising of all standards" to equal those of medical education.

The importance of an encouraging attitude toward affiliated state organizations is stressed. Annual programs should include only chiropractic speakers, and only chiropractic subjects and exhibits should be permitted on the floor of the convention rooms. Dr. Palmer's tenth suggestion is "A definite and understandable practice program encouraging and urging its members to confine their practice to that which everybody knows is Chiropractic."

He recalls the fact that at the Louisville convention the A.C.A. chairman outraged sensibilities by introducing him with "Give him thirty minutes to tell *us* what chiropractic is." "Which he knew

as well as everybody else in the profession," adds Dr. Palmer.

He advocates a more far-seeing co-operation with chiropractic state boards, and the building of a safe financial structure for the national organization, proof against the misuse of funds.

Dr. Palmer makes it clear that he does not challenge the honesty of anyone on the staff of the united organization, but merely recognizes a ubiquitous tendency to spend organization money with a free hand.

"I am going to be asked to unite the CHB with this new organization. When the new organization has built itself up to a program platform equal to that of the CHB, then one or the other will automatically cease to exist; for two associations with the *same* objectives cannot live in the same profession. The reverse of that was what happened to the ACA and the UCA. When the UCA got down to the ACA, non-Chiropractical level, then they were two bodies trying to occupy the same space. One had to cease to exist; it had no cause for existence, and was absorbed. It took 6 years for the UCA to come down. How long will it take the new organization to come up? . . .

A Plea for Leadership

"I was asked to assume leadership of this CHB. I refused to have *anything* to do with it *unless they placed Chiropractic first and adopted that policy program in spirit and in toto. . . .*

"Meanwhile, *the CHB* stands on a sound financial business basis. No officer in it, no member in its ranks gets *any* salary, regardless of how much or how little work he does for its objectives. It has a cash reserve practically equal to that which the UCA had in its heyday of its biggest membership. Those employees who *do* receive salary get a modest stipend. Every dollar of income is being legitimately expended, working for Chiropractic. . . .

"I am not opposed to the *new* organization. . . . It possesses tremendous potential possibilities. If it rises up to them, no one will rejoice more than I, because it will be serving Chiropractic—and that's *all* I am interested in, or ever have been.

"It is too soon yet to either condemn, condone, or endorse. There are many entanglements in the way of immediate accomplishment. It is going to take at least five years for a sincere evolution to take place in many in its ranks. . . .

"There is room for a dozen 'Chiropractic' organizations when each has a divided objective; but

there is room for only *one Chiropractic* organization when there is a *Chiropractic objective.*

"I am just as set in these convictions as Chiropractic is right. I am just as 'stubborn' as Chiropractic being right dictates. I have no other course. . . .

"Ever since 1924, the profession, its state associations, its national protective associations, its International Congress, has been seeking a leader. Is he hiding in that new united group? Is he submerged in that International Congress? If he is, drag him out, put him in control against his will, make him work *and save Chiropractic from its traducers.*"

Whether chiropractic needs dictatorship or whether it needs democracy, whether it will be made or broken by the modality wheels that now vibrate torture to the hopes of "straights," time will tell. How far the field will be guided by the forum, to what extent pedagogic influence may still be necessary to preserve theory intact amid vagaries of practice, are problems more fundamental than those of polity. Involved in their solution is the eternal question of leadership, upon which all else depends.

CHAPTER XI

Modalities

THE invasion of machinery, which for some years has been increasing the clinical appearance of physicians' offices, has likewise altered the offices of many chiropractors. The conservatives view the adoption of mechanical accessories with apprehension, since "done by hand" may cease to characterize chiropractic and the fundamentals of the system be buried under a regalia of wheels, lenses and meters.

Not only to aid diagnosis but to afford special treatment have the appliances been installed. The majority of chiropractors employ some form of mechanical accessory. There is a wide range of opinions and prejudices respecting the value of these adjuncts, a rigid alignment of the more extreme views existing in California. Here, however, as already stated, efforts are being made to reconcile the "straights" and "mixers."

The adoption of the "modalities," or mechanical devices, began on an extensive scale in 1924 and

was largely caused by a period of depression which prompted many chiropractors in their uneasiness to annex specialties for the purpose of strengthening their clientele.

The office of the "straight" chiropractor, to whom the philosophy of chiropractic is as broad as the entire subject of health and disease, is equipped with an adjusting table, rest cots and a few chairs. His "mixer" colleague's, however, glistens with X-ray apparatus, heat lamps, vibrators, or possibly spinal meter instruments, "radionics" and hydrotherapy equipment, clinical thermometers and other devices. These are regarded as merely accessory to the main work of vertebral adjustment, yet much more time is necessarily required for the tests and treatments through the use of the accessories. There is the necessitated extra space; extra assistants and elaborate records are required. From an economic point of view the question has frequently been raised whether the chiropractor employing the "modalities" to any extent actually increases his revenue, considering the added overhead expense, installment payments and extra time devoted to the patient. Often occurs the criticism that greater reliance should be placed upon pure chiropractic, that its scientific findings are by no means completed, and, consequently, that time for im-

portant experiment is sacrificed for the more perfunctory modes of treatment represented in the various appliances. It is maintained by such critics that the "mixer" is prone to content himself with the routine and rudiments of his school instead of analyzing each case according to the more profound teachings of chiropractic. On the other hand "straights" are dubbed reactionists.

It is chiefly with respect to their use of the modalities that chiropractors are divided into different classes. These classes have not become numerous, for the science and profession are too young, and the need of standardization too urgent. Whereas the "straight" chiropractor is readily identified and his beliefs are promptly understood, such is not the case with the "mixer," who ranges all the way from the practitioner who relies somewhat upon one or two mechanical devices, to one who employs all known paraphernalia and maintains chiropractic merely as a single department. Thus, while by far the larger percentage of "mixers" adhere to certain Palmer fundamentals, many nevertheless are as close to the medical camp as osteopaths, even in some places working in conjunction with physicians and surgeons. "Mixers" have been actuated by contrasting motives: here, a conscientious liber-

alism; there, a desire for credentials and clientele at any price.

There seems to be little evidence that "mixers" object to this appellation, and the more dignified term "physio-therapists" being not generally applicable, is not acceptable. Some users of accessories have gone so far as to devise the title "chiropractic physician," but this combination is condemned for obvious reasons.

Where no chiropractic law exists the "mixers" are few, since employing modalities renders the user subject to the medical law which specifies that that which "stimulates or inhibits" is to be construed as of medical treatment. In states having chiropractic examining boards, however, "mixers" abound, because there, it is said, medical politicians are ever occupied in trying to divide the chiropractic profession.

The X-ray is dubbed the original sin — the "mixer's" first drink. A few chiropractors, however, had acquired Abram's "radionics." Then the neurocalometer let down the bars for the inroad of appliances. Dr. Palmer insisted that this machine was compatible with *chiro-praktikos*—in fact was an aid to "straight" chiropractic. Many disagreed with him.

Had the terms for leasing neurocalometers been less rigorous, Dr. Palmer might have persuaded the profession that the "nerve-tester" was in no sense alien to chiropractic science but a corroborative adjunct capable of demonstrating the infallibility of hand palpation. But as an *improvement* on the latter, it was sure to invite dissension, whatever the cost of using it.

The great majority of the users of modalities regard themselves as chiropractors in the fullest sense, so it appears as another chiropractic tragedy that factionalism has arisen, or has been produced during legislative campaigns, reacting upon the entire profession. The need of cooperation has become thoroughly apparent to all, and the last two or three years have witnessed an unprecedented centralization through the merging of organizations.

That the issue already raised on the Pacific Coast, however, may become of universal concern is suggested by the fundamental question involved, and since chiropractic is virtually a religion among a majority of its sponsors, the articles of faith are likely to engender schismatic differences comparable with those of religious groups. While against this contingency state and national organizations are laboring for harmony, the fight of the older

generation of chiropractors has been directed against a loss of individuality and absorption by medical interests. If the absolute adequacy of vertebral adjustment is contradicted by the "modalities," then according to the old guard of chiropractors, much that has been gained in the way of recognition will be dissipated and irrevocably lost.

Light therapy and hydro-therapy have a substantial following among the practitioners of the country, as have dietary and diagnostic methods, massage and foot correction. It is estimated that approximately a third of the chiropractors in the United States employ electro-therapy.

The trend of chiropractic in the use of methods and accessories was sought by a survey published in 1930 by the Lincoln School of Chiropractic at Indianapolis. As the "mixers" of the country have been under fire, it is probable that they have more generally responded to the questionnaire than the "straights" and some allowance for this should be made. Thus, a somewhat greater acceptance of alien uses and theories may appear in the painstaking questionnaire of this prominent Indiana school than that which actually occurs. It is instructive, however, to note the following replies from more than 1,800 chiropractors:

MODALITIES

		Chiropractors	
		Yes	*No*
1.	Is your examination confined to the spine?	345	1538
2.	Do you question your patients about subjective symptoms (abnormal symptoms)?	1773	88
3.	Do you investigate objective symptoms (through inspection, palpation, percussion, auscultation, etc., other than the spine)?	1608	261
4.	Do you examine the heart and pulse?	1581	257
5.	Do you employ a spinal meter instrument (either resistance type or thermo-couple type)?	657	1205
6.	Do you use any of the various types of "radionics" equipment?	299	1560
7.	Do you take the blood pressure?	1449	422
8.	Do you use the clinical thermometer?	1462	411
9.	Do you employ urinalysis?	1465	419

		CHIROPRACTORS	
		Yes	*No*
10.	Do you advise your patients as to diet?	1656	211
11.	Do you advise as to exercise, habits, etc.?	1647	220
12.	Do you employ massage?	1004	817
13.	Do you use a vibrator?	541	1352
14.	Do you employ a heat lamp?	895	966
15.	Do you employ radionics?	302	1562
16.	Do you use "light therapy"?	685	1173
17.	Do you employ any form of "electro-therapy"?	603	1257
18.	Do you employ any form of "hydro-therapy" (baths, enemas, colonic irrigation, etc.)?	743	1124
19.	Do you practice "foot correction"?	902	954
20.	Do you give spinal adjustments to every case?	1563	330
21.	Do you favor chiropractic schools teaching diagnostic methods?	1704	179
22.	Do you favor chiropractic schools teaching "light therapy"?	975	831

	CHIROPRACTORS	
	Yes	*No*
23. Do you favor chiropractic schools teaching "hydro-therapy"?	991	788
24. Do you favor chiropractic schools teaching "electro-therapy"?	855	931
25. Do you favor chiropractic schools teaching "radionics"?	491	1151
26. Do you favor chiropractic schools teaching massage?	1144	661
27. Do you favor chiropractic schools teaching "foot correction"?	1323	477
28. Do you favor chiropractic schools teaching diet?	1667	194

The subject of "spinography" has attained much importance, involving the study and use of X-ray. Nerve testing by mechanical means is also an accredited study subject in some schools. Leading institutions recognize to a greater or less degree various practices that have come to be adopted in the field, although many of the latter have nothing essential to chiropractic. The X-ray is in general

favor because of its accurate showing of lateral, superior and inferior subluxations, despite its limitations in listing posterior and anterior vertebrae. It is primarily intended to serve as a means of verification of the findings deduced through palpation and major analysis, and as such saves the time of both chiropractor and patient, besides obviating possible mistakes.

CHAPTER XII

Chiropractic Training

HERE ARE approximately 300 schools which teach chiropractic, including about seven colleges of outstanding importance. Many of the smaller schools have more or less extraneous subjects in their courses, some even teaching chiropractic from a rather medical point of view.

Before the coming of chiropractic legislation the natural tendency among the schools of the profession was to set their own standards. There was comparatively little agreement as to what constituted the essentials beyond the rudiments as originally taught. "Diploma mills" flourished for a time in nearly every large city, casting discredit upon chiropractic and releasing a horde of incompetents whose chief ambition was to get rich quickly. Among them were a few more conscientious spirits who succeeded in learning something as they went along experimenting, and eventually some of these earned a measure of recognition in the field.

The very first laws demanded at least a high school education before one might study chiropractic, and patients soon acquired the art of discriminating between the high school product and the less erudite pretender. The fact that chiropractic gained its following in spite of charlatanry, disrepute and open attack is frequently given as one of the outstanding proofs of its merits. A large percentage of its adherents sought out the chiropractor as a last resort after all other treatment had failed.

As the donations of patients saved the Palmer school in its early days, similarly grateful friends of chiropractic came to the relief of many struggling schools. But for the most part funds for education were woefully lacking. Never have endowments been forthcoming for chiropractic schools and hospitals. It has never been the simple expedient of naming an institution after some saint, then asking religious persons to lend support. Medical hospitals and many schools have had churches behind them. Chiropractic has been compelled to battle alone and against mighty opposition, and certain forces that normally might have been counted upon to uplift its standards assailed it. Yet in some ways obstruction brought hardier advancement.

With the gaining of recognition came the power to drive out imposters. Gradually the correspondence courses and night schools began to disappear. Legislation and organization were erecting a stronger shaft for the new column, which, America was beginning to realize, was not merely an unstable replica of osteopathy but something able to stand on its own base.

Carver Chiropractic College in Oklahoma City, which was the second large institution to come into being (1906), after about two years of instruction lengthened its course from six to nine months. By 1910 it had been extended to eighteen months, which remained as the minimum until 1927, when it became twenty months. In 1930 the course was changed to three years of ten months each, thus covering thirty months.

Standardization

The first efforts to standardize courses of instruction in various schools of the country occurred at about the year 1917 and were practically fruitless. Further than fulfilling the immediate state requirements and some disposition to pave the way toward reciprocal privileges among states, no extensive correlation of schedules has since taken place. The International Congress of Chiropractic

plans to investigate all institutions teaching chiropractic and to maintain supervision over their work. Since many of the leading educators are active in the congress and its subsidiary organizations, this standardizing experiment is expected to bring notable results.

Among the varied curricula appear courses in embryology, orthopedy, pediatrics, dissection and first aid. The X-ray, discovered the same year as chiropractic, has become important in diagnosis, giving birth to the subject of "spinography." Jurisprudence has received considerable attention, due to the many state and local laws and regulations, without knowledge of which the young chiropractor is likely to encounter serious difficulties. Carver College in 1929 found it feasible to establish a department of physio-therapy.

The following three-year course reveals the degree to which a leading chiropractic school has followed the trend of legislation and the adoption of the modalities, while adhering nevertheless to the fundamentals of chiropractic.

First Year	*Second Year*	*Third Year*
Anatomy	Anatomy	Chiropractic Practice
Embryology	Psychology	Diathermy
Osteology	Biology	Galvanism
Syndesmology	Physiology	Sinusoidal Treatment

Myology	Pathology	Infra Red Rays
Neurology	Symptomatology	Radiant Lights
Angiology	Diagnosis	Ultra Violet Lights
Aerology	Chiropractic	Eye, Ear, Nose and
Alimentology	Principles	Throat
Uro-genitology	Adjustology	X-ray and
Endocrinology	Clinic Practice	Fluoroscope
	Ethics	Chemical and
Special Senses	Sanitation and	Microscopic
Histology	Hygiene	Laboratory
Business English	Orthopedia	Gynecology
Public Speaking	Personal Efficiency	

The International Congress of Chiropractic has found it expedient to give temporary recognition to all schools having adequate courses, pending personal inspection by representatives of the congress. The obvious difficulty of holding together the school constituents in the face of a regulative program affecting their destinies for better or worse has proved another argument for catholicity in the control of the organization. This open-mindedness has been demonstrated in numerous ways, particularly in extending membership to the National School of Chiropractic of Chicago despite the fact of its doctors being admitted to the county hospital under the medical banner.

As already stated in Chapter IX relating to organizations, the International Congress is partly composed of members of state boards of chiropractic examiners. Depending upon the enduring strength of the congress and the scope of co-ordination through state boards, educational standards in the various states will continue to be more definitely realized and upheld. The control of curricula up to the present time has reflected legislation rather than professional organization and actually dates from the passage of the first chiropractic law in Kansas in 1913. Standardization has been proportionate with increasing recognition, thereby causing advocates of chiropractic to affirm repeatedly that most of the incompetence in the field is directly traceable to discriminative laws and persecution. In those states where favorable chiropractic laws came into being and chiropractic leaders stepped into authority, spurious instruction found it more and more difficult to function. Three years after the passage of the Oklahoma law in 1921, the chiropractic examiners ruled that no college or school would be deemed reputable if it maintained home extension, correspondence or evening courses. Examinations and licenses became necessary, so study must be thorough and certificates authentic and adequate. Thus the chiro-

practic institution was given less leeway than the academic institution, as is proper where technical training is involved.

Efforts to standardize instruction have evolved such suggested courses as the following for a chiropractic college of the first rank. The number of study hours, which is somewhat in excess of those commonly required, here serves merely to indicate the comparative importance of the subjects. Obstetrics is not taught in the majority of schools, since it involves surgery. Pediatrics, not included below, is taught in some schools. Numerous other variations occur.

Anatomy, including gross anatomy, embryology, neurology, histology and orthopedy, 955 hours; physiology and chemistry, including physiology, biological and physiological chemistry, toxicology, urinalysis and dietetics, 380 hours; pathology, including gross pathology, pathological histology and bacteriology, 300 hours; hygiene, including public health and public health service, 100 hours; diagnosis or analysis, including spinography (X-ray), 430 hours; obstetrics and gynecology, 100 hours; chiropractic, including chiropractic symptomatology, chiropractic principles and practice, chiropractic palpation and adjusting, chiropractic jurisprudence, contagious and infectious diseases,

eye, ear, nose and throat and dermatology, 1,147 hours; elective subject or subjects, 116 hours.

This total of 3,528 hours is only seventy-two hours less than the minimum total required in medical courses. Chiropractors receive 307 hours more than medical students in the subject of anatomy. None of the time is spent studying the lower animals. Forty-eight percent, or 1,728 hours of the medical curriculum, is devoted to medicine and surgery, which are not included in the chiropractic course. Chemistry in the medical school relates to about 27,000 drugs and chemicals, whereas in the chiropractic school it applies solely to the human body. It is indicated, furthermore, that chiropractors spend 247 hours more on the study of the science of chiropractic than the medical doctors spend on the subject of medicine, including pediatrics, nervous and mental diseases, dermatology and syphilis and medical jurisprudence. As chiropractors are not permitted to attend in cases of childbirth, during actual labor, or to practice surgery, their study of obstetrics and gynecology covers only 100 hours, as compared with the 252 hours required of medical students. It is observed that the 3,528 hours of subjects, as here set forth, are devoted entirely to the human body in health and disease, while only 1,872 hours of subjects in

medical study pertain to the human body in health and disease, if one excludes the subjects bearing on drugs and surgery.

In most of the states considerably fewer study hours than those in the above suggested course are sufficient to secure full credentials. The California law, for example, demands only 2,400 hours, although some of the "progressives" are seeking to include subjects that will bring the total to 3,600 hours or possibly 4,000 hours. The present 2,400 hours are assigned as follows: Anatomy, 600; histology, 100; elementary chemistry and toxicology, 100; physiology, 200; bacteriology, 100; hygiene and sanitation, 100; pathology, 200; diagnosis or analysis, 400; chiropractic theory and practice, 500; obstetrics and gynecology, 100.

That numerous practitioners with only an original six-months training eventually gained state credentials, and various schools once regarded as purely commercial enterprises finally became accredited institutions with full three-year terms, should properly be regarded as of the same phenomena of development seen in other drugless healing systems and in the ancient days of medicine itself. Qualifications came apace with recognition, capability with qualifications, public service with capability. That which brought recognition to

chiropractic, changing the character of its schools and its service, was the proven testimony of cured patients which finally converted newspapers, courts and legislatures. In the same ratio that honor attaches itself to public office, superior men come into public service, and this rule has long applied to every profession.

The Humble Environment

When chiropractic teaching was in its first formative years it was realized that a generation of students might come and go before the profession would attract a large proportion of young men and women holding college degrees. No profession ever had a humbler beginning, and as one looks today at the great Davenport institution it is difficult to imagine the simple efforts that marked its origin. It seems almost incredible that one individual's initiative could have brought about so vast an establishment in so short a time. It is more understandable to those who saw B. J. Palmer emerge from poverty through sheer persistence—who since have sensed the inspiration of Mrs. Palmer, known to the chiropractic world as "Mabel." It is still bewildering to the few who know that B. J. Palmer began his teaching at a time when he was actually destitute, and a piano

box was his sleeping place. His companions were as poor as himself. Among the young laborers and loungers of Davenport were some sufficiently curious to listen to the theory of chiropractic as passed on to Bartlett Joshua by his father. Even after the fruits of his teachings began to be seen and Palmer School of Chiropractic was a reality, this keenly thinking youth realized that it would be time wasted to try to interest cultured persons in chiropractic. In fact, in the struggle for expression, the only hope lay among the less profound individuals to whom he was accustomed and who would give readier ear. So B. J. Palmer would tell some truck driver or barber of the secret of disease as due to impingements at the spine. A demonstration would follow. Possibly the volunteer pupil would be relieved of a headache or lameness. From this to a lesson on vertebrae was but a little step. Thus the carefully guarded knowledge of D. D. Palmer began to percolate through an ever widening circle of amazed neighbors, who began to bring their relatives and friends so that young Palmer might make an adjustment and explain the mystery.

It is said that D. D. Palmer remonstrated with his son because of the latter's premature activities as a healer. The young man, however, was head-

strong and greatly absorbed in experiment. The very fact that one did not have to be educated in order to help suffering was in itself significant. Some of these crude disciples would never comprehend anatomy or histology, nor would it greatly matter. It was sufficient to locate the impingement, then automatically, without all the bother and uncertainty of diagnosis, nature would do the rest. Assuredly much education was unnecessary, even possibly undesirable. In any event chiropractic could not wait for the embrace of culture; it would languish in outer offices before recognition would be given.

The first arrest of a graduate was that of a highly educated Japanese, Shegetaro Morikubo, of La Crosse, Wisconsin, in 1906. He was charged with "practicing medicine without a license." Dr. B. J. Palmer's attention had been attracted to the name of Tom Morris, former lieutenant governor of Wisconsin, as a friend of drugless healers. Morris was engaged to defend the case and won it. The defendant later became prominent in Minneapolis. Before the Universal Chiropractic Association came into being that year Morris had become a confidant of Dr. Palmer, and together they planned much of the future of the science and profession which today has claimed world notice. Morris was en-

thused over the possibilities in chiropractic and bade good-bye to politics.

Strangely simple were the ingredients that went to establish the first school of chiropractic. The hardships and uncertainties already have been mentioned. It was fortunate that among the early students were those who had enough initiative to start schools of their own in other cities, for thus the work progressed and widened. During the early years the claims for chiropractic were extravagant; as experience ripened, these claims were tempered to a more professional attitude. The schools sought attention by means of startling statements. Since advertising space was generally denied, word-of-mouth information was especially relied upon. The schools were open to all, a policy necessary for self-preservation and the perpetuation of chiropractic.

Between 1913 and 1922 educational requirements for those applying to study chiropractic became established over a large part of the United States. The caliber of students has changed accordingly. Today the leaders of the profession are discussing the problem of attracting the best minds to a fuller study of chiropractic, as a preliminary to which recognized prejudices must be overcome.

The schools and colleges of chiropractic now seem to be reacting to the program of the national organizations, by which the influence of mechanical accessories is to be offset by renewed emphasis upon first principles. With the more complete vindication of these principles will come the type of patronage necessary to enhance education—to support its activities on a plane similar to that enjoyed by other professional schools.

CHAPTER XIII

Ethics

NO SUCH DEFINITE code of ethics as that of the medical or legal profession obtains in chiropractic. The schools, however, seek to establish ideals of service, honor and discretion among their students. Efforts have been made in various organizations to decide upon precise rules of professional conduct, but rivalries in the field and perpetual disagreement as to proprieties have prevented the general adoption of any code. The fact that advertising seemed an unavoidable necessity from the earliest years and had the sanction of the founders tended to make the chiropractor less conservative than other professionals. Furthermore, with the many years of sensational publicity attending court proceedings and legislation in every state of the Union, the chiropractor acquired some of the characteristics of the free-lance, matters of ethics being for the concern of the individual rather than the group.

The more carefully taught young chiropractor

is enabled to perceive that his first duty is always to his patient, that he assumes responsibility for the health and happiness of all who seek treatment at his hands. He is bidden to recognize his limitations, to refrain from criticising other doctors, irrespective of their school; to grant at all times the right of the patient to be treated by the practitioner of his choice. The chiropractor is encouraged to consider his work as of foremost humanitarian importance and his services available to the community. Monetary considerations must not interfere with zealous devotion to practice. He is warned against seeking political positions, asking favors, compromising his patient or himself or mixing in the personal affairs of his clients. Like the young physician he is sometimes bidden to learn the oath of Hippocrates, a part of which, after 2,200 years, still remains the *logos* of professional behavior, notably the lines: "I will give no deadly medicine to anyone if asked. . . . Into whatever houses I enter I will go into them for the benefit of the sick. . . . Whatever in connection with my professional practice, or not in connection with it, I see or hear in the life of men which ought not to be spoken of abroad I will not divulge, as reckoning that all such should be kept secret. . . ." To offer or to accept a split fee is held to be inimical

to high standards. This principle has been widely disregarded, as in other professions, but a strong sentiment has arisen for its observance.

Advertising

As in the medical profession, and to a somewhat less degree among lawyers, architects and the more conservative clergymen, advertising has been an outstanding problem in the consideration of an ethical code, and rendered especially difficult in the case of chiropractic by its early struggle for a place in the sun. Organizations acquired certain rights denied ordinarily to individual practitioners. For instance, under the classification of constructive educational publicity continually arose most scathing denunciation of medicine and medical doctors. Irrespective of who was really the invader and who the defender in the field of public health the group voiced sentiments, which expressed by the unorganized individual would not have been tolerated. Alone, the chiropractor in the considerable majority of cases possesses those instincts necessary to ethical behavior. Organized, as a part of a protective and promotive system, his sensibilities dissolve into group consciousness, which on a large scale is capable of finding expression on a par with the most self-righteous nationalism.

Strife and persecution have not made barren the chiropractor's sense of propriety, which is ultimately fostered and not stifled by the group. He is aware that misstatements in advertising will do him more harm than good in the long run. Exaggerated or fabricated stories of cures he knows will have a distasteful aftermath. The chiropractor is ordinarily required to promise, as a condition to receiving a license, to abstain from false statements in his advertising.

Dress

Dr. J. R. Drain, in his stimulating book, *Chiropractic Thoughts,* discourses briefly upon ethics and observes incidentally that the matter of dress has been generally slighted. As a prelude to the former theme he advises chiropractors to adopt a conservative appearance—that of the average business man or business woman. Dr. Drain regards such as the most desirable, if uniform dress is to be considered. Chiropractors who array themselves like Dunkards, with Ben Franklin hats and long whiskers are a hindrance to the cause, he believes, since freakish appearance hints at freakish acts. This Texas educator has noted in the profession a long-haired type, a long-tailed coat type and a celluloid collar type. Because the Palmers let their hair grow does not

exonerate other chiropractors from the consequences of following suit. "I do not believe that the chiropractor should wear the cowboy hat, boots, or galluses," adds Dr. Drain, and he condemns the celluloid collar as unprofessional.

Loyalty to the Profession

Ethics is deemed to involve not only the attitude and behavior of the practitioner toward his client but also toward the science of chiropractic and the fellow chiropractor. Emphasis is often placed upon the obligation to aid in the support of the chiropractic cause. Here the responsibility of the chiropractor is unique among professions, for the long defensive battle against established curative systems has given birth to a code full of the consciousness of protective zeal. Organization leaders have rounded up the disinterested and delinquent during campaigns in a way suggestive of ward politics. For the chiropractor to be so immersed in his immediate duties as to forget his responsibilities toward the profession is held unethical, and the criticism of colleagues is sure to follow. In spite of this, however, a very large percentage of practitioners are induced only with greatest difficulty to take part in organized activities and many remain entirely aloof. The actual

number of organization members in various states ranges from thirty to fifty per cent of the total number of chiropractors. Wrapped up in the loyalty of graduates of some of the older schools is much of the esoteric, shown in an almost religious fervor, and that strong group consciousness which is characteristic of oppressed minorities. Former Palmer students have been said to evince a cult-like attitude, due to the personal domination of Dr. B. J. Palmer and the almost symbolic influence of school traditions and associations. The young chiropractor, especially from the Davenport institution, is inclined to feel that he has become privileged to share in some special knowledge—a science as yet but illy comprehended by the modern, materialistic world — a treasure envied by learned physicians — misunderstood and undervalued by contemporary science. His obligation toward his *alma mater* does not end with the payment of tuition. The "Fountain Head" holds an abiding interest in the absent sons and daughters, and as faces turn toward Mecca at the muezzin's call, so the Palmer graduates faithfully retrace their steps yearly to the great assembly known as the Lyceum, a gala event for the Iowan city. There the full significance of the common cause is renewed, fresh objectives are clarified, old loyalties dramatized.

To have fought the fight of chiropractic, to have endured imprisonment—ignominy—this breathes vitality into organization. Here is no musty chronicle of annual meetings, but a vast modern epic, whose stage has been set and whose drama has been lived in every clime under the sun.

Chiropractic ethics reflect a sense of martyrdom and not even the sharp divisions of sentiment and technical disagreement are sufficient to nullify the cohesive spirit of the larger organizations. The duty of the individual toward the group, therefore, is clear-cut, for every chiropractor knows that only through the combined strength of the many can safety be assured. The advantages gained through legislation may be swept away if organization grows lax, and the only guarantee lies in the loyalty of the individual.

In order to understand the attitude of the chiropractor toward other chiropractors it is only necessary to realize the measure of difference between schools and the fact that not so many years have passed since degrees were obtainable upon an exceedingly short course of instruction. However, criticism of other chiropractors is held to be unethical. Much distrust abounds as to the methods of the rival practitioner, yet, as a matter of ethics, a chiropractor who would accept treatment at the

hands of a medical doctor in preference to a chiropractor of any kind, would be deemed to have violated a most sacred code. This view, of course, would scarcely occur among the small minority, who occasionally recommend medicine and cooperate with physicians and surgeons.

The subject of ethics is included in the usual chiropractic course, despite the absence of a generally approved code. By training as well as environment professional attitude and conduct are shaped, and as obtains in every walk of life, the individual is finally left to follow the dictates of conscience and at least to keep within the law.

Personality

Realization of the importance of an abiding recognition of ethical standards under the aegis of organized chiropractic has developed considerably during recent years, and at the present time finds expression in the numerous journals of the profession. The perennial persecution and the stigma earned by early charlatans have made imperative more closely drawn rules of conduct, especially in view of the responsibilities of those entrusted with health and life. To dignify a science, a profession, a doctor's calling—in the face of widespread contempt and ridicule—has been a heartfelt problem

for the leaders of chiropractic, the solution of which, however, has been aided by the accruing favorable legislation. But serious handicaps have existed in the tendency of the rank and file of practitioners to take lightly the subject of personal appearance and manner. A large percentage of the doctors of chiropractic have come from unpretentious walks of life, where dignity is easily confused with deception. Many habitually discard professional deportment, believing it less advantageous than a frank and sociable manner. These men and women, few of whom have had contact with cosmopolitan customs, have dreaded the appearance of artificiality, and seem to have been more or less unaware that success usually depends upon more than an ability to adjust vertebrae. The comparison between one of these homely-mannered chiropractors and the polished European practitioner is extraordinary, yet the discriminating patient may not appraise ability according to dress, manners or even general educational attainments.

Tact

The younger generation of chiropractors take more seriously matters of appearance and behavior. They are taught that duty to themselves and their profession demands an upstanding dignity, an

agreeable and sympathetic attitude. Confidence on the part of the patient is vitally important. It is part of the work of the chiropractor to inspire the sufferer with the hope and expectation of recovery, and this is not accomplished by irrelevancies and lax behavior. Affectation is undesirable, and far more effectual is a sincere concentration upon the case itself. Direct simplicity is better than abstruseness, but tact is even more necessary to the doctor than to the diplomat, for the doctor cannot by contradiction cover his mistakes.

Judicious selection of employees contributes to the confidence of clients. Nothing is more damaging to the repute of an office than an unbusinesslike or too businesslike atmosphere, unless it be the ill behavior of attendants. Courtesy is the first sign of intelligence.

The chiropractic student is advised against alarming his patients with technical phrases difficult to understand. If it is necessary to use them it is well to explain their meaning. Care and precision in all conversation with patients are to be observed. In money matters the simple rule of encouraging clear understanding about costs holds good, when the patient desires early to know the possible expense involved. Much disillusionment and discontent can be avoided by a pleasantly defi-

nite arrangement early in a course of treatments.

In an editorial in the *Bulletin* of the California Chiropractic Association appears the following counsel to the chiropractor: "You are the ambassador of your profession. The future of chiropractic is in your hands to mould into the profession of the future or to let die by neglect of the simple things. Guard well the treasure that has been placed in your hands for safe keeping."

CHAPTER XIV

Public Health

HEALTH propaganda, once the *bon marché* of the patent medicines, in late years has become a national movement. Magazine pages are thronged with advice on the care of the digestion, teeth, hair, complexion and much that pertains to physical fitness. Governmental aid in health protection is traced from ancient days when populations waged a common battle against plague, and in America we have witnessed its co-operation in the wars on cholera, smallpox, yellow fever, diphtheria, malaria, typhoid, modern influenza and other scourges. But today preventive measures are by no means confined to the more dreaded contagious diseases, and the crusades of health authorities at present, according to chiropractic journals, are more or less of a medical ballyhoo—exploitation calculated to strengthen the hold of *materia medica* at a time when drugs are becoming unpopular. To the chiropractic point of view on this score reference has been made in Chapter V, Chiropractic *versus* Medicine.

Very naturally the scope of health propaganda undertaken thus far by chiropractic covers the field where it has deemed medicine to have proved especially incompetent. It has considered the victory over smallpox due to cleaner living, not to vaccine. It is skeptical of the mosquito's exclusive culpability and power to destroy healthy human kind. Medical efficiency in influenza has yet to be shown, declares chiropractic. The latter casts a fresh limelight of publicity upon increasing insanity and the narcotic evil, and thereby finds the medical profession guilty of still greater wrongs. As fiercely as it has attacked the use of smallpox vaccine, so it has assailed the methods of treating the insane and the encouragement of drug habits.

That the number of inmates in state institutions for the insane in the United States increased 460 per cent in forty years, as against an increase of population amounting to 110 per cent, is set forth as evidence of failure or neglect on the part of medical guardians to conserve public health. Because the treatment of insanity so largely involves the nerves, chiropractors have found a fertile field for criticism in the methods employed under medical auspices, which they pronounce as antiquated and inept. The *Chiropractic News* of September 18, 1930, rates the cures of the insane

in one chiropractic sanitarium at sixty-five per cent, and those in state institutions at only five per cent. The *Chiropractic Review* (Vol. 1, No. 1) cites the growing burden of expense to care for the insane in the state of Illinois already amounting to approximately one dollar a year *per capita* of the entire population, and the fact of 500 patients being committed each month on an average from the city of Chicago. From a chiropractic sanitarium in Iowa, which is supervised by the Board of Control of State Institutions, comes the testimony of treatment of more than 1,000 cases in six years, including mental, nervous and epileptic subjects, and the offer to submit for inspection a record of cures of insanity greatly exceeding that of any state institution.

Dr. D. D. Palmer, discoverer of chiropractic, wrote in 1910, with reference to insanity: "It is usual to find occlusion of the third, sixth, seventh, eleventh and twelfth dorsal nerves. Why not locate the vertebra which causes the impingement, the cause of mental derangement?" (Page 49, *The Chiropractor's Adjuster.*) Again (page 622) he writes: "All abnormal functions, either vital or intellectual, depend upon structural change of tissue. . . . As the vegetative function is subservient to the vital so the cumulative is subordinate to

the mental. Normal *tonicity* of tissue performs absorption, assimilation and excretion in normal amounts, an equilibrium we name health. Likewise, the cumulative will accumulate normal thots. If the solidity and tension of nerves and muscles are not normal, too lax or compact, their intellectual and vegetative functions will be abnormal."

In much the same vein as more recent defenders of the chiropractic faith, he declared (page 868) in answer to an article in *Everybody's Magazine* by a physician, that the medical profession had based its conclusions regarding insanity upon *post mortem* examinations, whereas the chiropractors were depending upon findings made during life. "The medical fraternity continue to change their pathology," he writes, "each time apparently proving their diagnosis."

Much more severe is the censure visited upon doctors of medicine because of the increase in the number of narcotic addicts. The confessions of the latter, according to chiropractors, are said in nearly every case to reveal the habit as developed from authoritatively prescribed treatment in drugs or hypodermic injections; not from original transactions with dope peddlers, as is sometimes supposed. Illuminating facts on the situation in the United States were printed in *The California*

Chiropractor, issue of November, 1928. This Pasadena publication states as follows:

"Federal records show that narcotic violators in 1927 represent the largest number of Federal prisoners ever incarcerated for violating any one Federal law.

Addicts Multiply

"Since 1919 there has been a 900 per cent increase in the number of addicts committed to Sing Sing, 500 per cent to Leavenworth, 3,000 per cent increase to Auburn Prison, New York. Forty per cent of the men prisoners going to Federal prisons are addicts; 60 per cent of the inmates in New York's jails and correctional institutions are addicts.

"The Report of the U. S. Narcotic Division shows that apprehended narcotic violators rose from 1060 in 1917 to 10,297 in 1925; and the Federal law aims only at the seller, not the user."

The Philadelphia Grand Jury was informed by Judge McDavitt in 1925 that 1,000 peddlers supplied 30,000 addicts in that city. Narcotic offenders sent to McNeil Island in six years numbered 998, as compared with only 58 bootleggers. In Kansas City, Missouri, 1,200 narcotic arrests were made in 1923.

A report from Washington, D. C., dated August 12, 1930, and carried in press dispatches of the following day, cites Dr. Charles E. Terry of New York, who made an address at the conference on narcotic control at the Public Health Bureau, held on the former date. Dr. Terry is declared to have said that surveys of scattered cities representing 2,200,000 of the country's population, showed that opium had gained in usage about 7.94 grains per capita, exclusive of that illicitly distributed. This represents a national consumption of about 140,000 pounds, which is nearly the total amount imported. It is announced that medical science is seeking substitutes for narcotics.

This is but a mere fragment of the evidence similar to that presented at the opium conferences at Geneva in recent years, describing the spread of the dope evil throughout the world.

A writer in the *California Backbone*, of November, 1922, observed, regarding the habit-forming drug: "It becomes apparent, then, that sickness in which there is distress is the usual condition preceding its initial use, and for the relief of which it is administered. . . . The only answer to the 'narcotic evil' is to place a ban on its use in the practice of 'scientific' medicine, where it is freely prescribed in all sorts of inconsequential or mild

'attacks' of disease, just to afford a temporary unconsciousness of the distress to make it look right to interested observers who are distressed by the suffering of a loved one. . . .

"It becomes evident that narcotics should not be used in cases where there is hope for the recovery of the sick, and that this terrible, monstrous habit is chiefly forced upon the unsuspecting victim and his solicitous and unsuspecting loved ones without their knowledge or consent. You will not find two percent of the drug users who acquired the habit knowingly. . . ."

"Life Extension"

Chiropractic health propaganda bestows its share of advice on the prevention of disease. The early detection of subluxations means forestalling illness. Temperance, moderation, proper diet are persistently commended. The layman is advised to scrutinize mortality tables closely enough to discover their deceptions, since much that is claimed for life-extension work is more apparent than real. On this matter, it is pointed out in *The Life Line* of October, 1930, that a reduction in infant mortality and a lowering of the death rate under middle age have given the appearance of an expectancy of longer life. The average span

has been increased mainly by better care of infants, but statistics fail to prove that man over fifty-two years of age has any greater chance for longevity than he had in the year 1789.

"The expectation of life has increased, but the span of life has remained stationary," said Dr. Louis I. Dublin, insurance statistician of New York City, addressing the American Public Health Association at Minneapolis on October 3, 1929. He added that the cutting down of preventable deaths among young people has increased the average length of life, whereas improvement after the age of forty has been slight. Discouraging possibly from a medical point of view is his statement: "Such campaigns as center around the annual physical examination are very desirable, but their value, so far as they go to extending the life span, is questionable."

Other chiropractic prevention advocates greater care in bodily postures as a means of checking subluxations, and one practitioner in San Diego, California, is undertaking a scientific study of attitudes as influencing health and disease. Physical education has long taken cognizance of the ill effects of incorrect posture.

Possessed with the ardor of a young science many chiropractors continue to uphold the philos-

ophy originally expounded by D. D. Palmer. His theories of "innate intelligence," the "educated intelligence" and vital force are widely retained with a religiousness that brooks little contradiction. Some have averred that the mental hygiene movement has taken its cue from chiropractic.

The profession cannot be said to have waged a direct campaign against vaccination. Many chiropractors are members of the American Medical Liberty Association, which is leading the fight against inoculation. Many have joined local movements to prevent the obligatory examination and vaccination of school children. The opposition of chiropractic is based on its germ theory and it condemns the practice of introducing virus into the blood for the purpose of immunization. Many shocking accounts of the death of individuals, particularly those of young children following the injection of vaccine and serums, have been given, supplying grave charges against medical authorities. Concerning vaccination Dr. D. D. Palmer wrote: "It is the biggest piece of quackery and criminal outrage ever foisted upon any civilized people. Medical ignorance is the greatest danger to humanity today. Medical tyranny, by which criminal outrages are murdering our children all over this country by the enforcement of school

blood-poisoning laws, is the foulest blot on our civilization."*

Vaccines and Serums

Frederick R. Green, M.D., in the *Journal* of the American Medical Association, September 23, 1922, made this admission: "It is difficult to understand when or how the fiction arose that the medical profession is a divinely authorized and chosen class, charged with the protection of the public health and public welfare, even against the desires and wishes of the people themselves. Such a doctrine savors far too much of imperialism to be particularly popular at the present day."†

The League Against Compulsory Medication in Minneapolis, Minnesota, cites many sensational results of injections of vaccines and serums. Follows a portion of an article entitled "Stop Misleading and False Medical and Surgical Propaganda in the Public Schools of Our Nation."

"The public schools and higher educational institutions of the United States have been used for years as centers for the circulation of misleading and false medical and surgical propaganda, and their pupils are regularly and increasingly

*The Chiropractor's Adjuster, p. 854.

†Copied by the *Chiropractic Digest*, organ of the Texas Chiropractic College, February, 1930.

subjected to all kinds of doubtful, dangerous and deadly medical and surgical experiments.

"Smallpox vaccination, so-called 'immunization' against diphtheria, scarlet fever and other diseases are untruthfully represented as practically certain preventives, and the false claim is made that these processes are 'HARMLESS', to secure the consent of parents to the vaccination and injection of their healthy children with filthy products of human and animal disease that are, literally, a menace to the health and even the life of every child whose pure blood stream is polluted with them.

"Encephalitis (sleeping sickness) has followed vaccination in so many cases, and caused so many deaths in the Netherlands that compulsory smallpox vaccination of school children has been officially abandoned in that country for at least one year,* and there is a constantly growing belief on the part of competent medical authorities that smallpox vaccination is probably a direct or indirect cause of meningitis, infantile paralysis and other very serious nervous diseases.

"In January, 1928, twelve children were killed by toxin-antitoxin immunization at Bundaberg, Queensland, Australia. Before that time a number of persons were killed and many more made seriously ill at Dallas, Texas. Makers of the so-called immunization material used at Dallas paid thousands of dollars to settle pending damage cases out of court. . . ."

The League Against Compulsory Medication refers to a report in the *Post* of Bridgeport, Connecticut, dated February 18, 1926, as stating that fifty-four hospital nurses were ill following injec-

*Verified by direct report from League of Nations' Health Committee.

tions of an immunizing scarlet fever serum. Thirteen of these "promptly came down with the scarlet fever, from which the serum was supposed to protect them; the remaining forty-one were made so sick by their injections that they were unable to attend to their hospital duties, and outside nurses had to be brought in to keep the hospital running."

The *Tribune* of Sioux City, Iowa, is quoted as stating: "It is open season on tonsils in Sioux City. . . . At least 1,080 sets have been jerked within the month. . . . Now tonsil operation has become almost as much a part of preparing for the school term as buying new clothes."

In line with this comment, the *Journal* of the Michigan Medical Society, of December, 1924, offers this startling information: "It has been estimated that fifty per cent of the present day tonsillectomies are unnecessary. This fifty per cent has been classified as the 'gasoline supply' of some doctors. Well, will someone rise up and give us the real facts? What is going to be done to stop these unnecessary tonsillectomies?"

A statement that toxin-antitoxin immunized nurses in the Illinois Training School developed a higher percentage of diphtheria cases than the nurses in the same institution not immunized, with

both classes working under the same conditions, appears in the *Journal* of the American Medical Association, January 28, 1928.

The fact that the manufacturers of toxin-antitoxin concede that among children above the age of eight years and in adults "local and general reactions occur in about ten percent of individuals," is set forth as of particular significance.

Prevention — Anti-Prevention

It is emphasized by the League Against Compulsory Medication that its members are not opposed to medicine and surgery and are disposed to protect reputable doctors and surgeons, and that they will oppose any kind of healing propaganda in the schools.

"Good health may be so universal as to be commonplace," wrote James Workman, D.C., in *The California Chiropractor* of August, 1928. This well-known official of the American Bureau of Chiropractic, who resides in Santa Ana, California, believes that health education may eventually set man free from the thralldom of disease. However, he declares we have yet to learn to care for the child. Today stress is laid upon the preparation of the mind, while the preparation of the body to

protect it from disease should be the foremost concern.

"If we could grapple with the child situation in its entirety for one generation, our public health, our economic efficiency, the moral character, sanity and stability of our people would advance," Dr. Workman avers. "There is no way out of the present situation of health in which the human race finds itself because of its inability to co-operate and its failure in mutual understanding except through the education and physical care of the child. Everyone has a right to a good start in life, and health education must go forward hand in hand with that of the mind.

"The chiropractor of the present day realizes this and forms a supremely important part of the community machinery for the prevention of disease. . . ."

Medical Monopoly

In *Chiropractic News,* the official publication of the American Bureau of Chiropractic, issue of October 30, 1930, is mentioned the address of Julius Rosenwald of Chicago before the American Hospital Association, which appeared in the *New York Times.* The statement that hospitals are now "in the big business class" with an investment of

more than $3,000,000,000 is aimed by the *News* at medical monopoly. The prominent philanthropist is quoted as saying that the present 7,000 hospitals in the United States had beds to accommodate 900,000 patients besides out-patient services that care for an even larger number, but that one-third of the beds on an average are unoccupied. The *Times* says that "the average occupancy for all the general hospitals reporting to the American Medical Association for 1928 was 66 per cent."

Chiropractic critics aver that endowments for such offices are unjustified under the conditions cited, and allude to recent questionnaires taken in middle western states by which it was demonstrated that less than fifty per cent of the public preferred medicine for the treatment of illness.

In the absence of appropriations for chiropractic care, the projected expenditure of $23,765,000 by the United States Government to care for disabled soldiers, of which $10,320,000 was announced by the Disabled Veterans' Bureau in August, 1930, as contracted for hospitalization, occasioned further bitter comment on the part of the American Bureau of Chiropractic. The *Chiropractic News*, in its leading article of September 18, 1930, says:

"It seems about time for the United States Government

to recognize progress in health matters as well as in other fields. They are handing out the same old slop for medicine, the same old drugs, and doing the same old unimproved hocus-pocus that was in practice fifty or one hundred years ago, and the consequences are that the soldiers are not getting well, are remaining chronic invalids, and their maintenance is a continually mounting expenditure. . . .

"Old in tradition, old in superstition, and old in errors, medical practice clings to the worst as well as the best within itself and stubbornly refuses to accept any healing art which does not conform to the rule of prescriptions, diagnoses, and surgery. We know in emergency that surgery has its value. Common sense also tells us that drugs may be palliating. We do not need a doctor's advice to know this. But when medicine proclaims that knives and drugs are the last words in healing, and that there is no need for any other healing method, it is retrogressive and dangerous to humanity. It is simply performing a colossal deceit to hold dominion over the handling of the human body and thereby build up an empire within a government, controlling everything within that government through a process of fear and blind confidence."

CHAPTER XV

The Occupational Field

DEFORMITIES and disorders characteristic of certain occupations or environments are coming to occupy attention on the part of organization leaders and those chiropractors who take special interest in social problems. Practice in this field has been developing persistently during recent years and there are promises of future extensive work therein on the part of state and national organizations.

It is natural that chiropractic, with its emphasis upon anatomy, should concern itself with structural and postural abnormalities common to specific types of workers. Chiropractic is closely allied to modern advancement in corrective exercise and hygiene. It is apace with those preventive measures coming more and more to be adopted in family, educational and industrial life. Its prestige is helped by the custom of the patron of the chiropractor to seek a vertebral adjustment, not merely when he feels ill, but because he may desire

to relax his nerves and muscles or to relieve strains due to work or sports. Thus chiropractic in its application becomes largely preventive.

To the latter-day attention to efficiency and hygiene among industrial workers the study of occupational diseases has come as an important sequel. A generation ago little consideration was given to this vast sphere of research. The average person was aware of the maladies peculiar to miners, phosphorus workers and painters, but remained in total ignorance of a multiplicity of disorders, each caused by a definite kind of employment. In the last quarter of a century along with considerable change in the relations between employer and employee have come better working conditions than were dreamed of by the most sanguine social workers or labor leaders of the previous epoch. In this period the number of persons in gainful occupations in the United States has doubled. Industrial life insurance policies increased in value from $1,468,928,342 in 1900 to $16,685,581,197 in 1928. The manufacturer today conserves human health and human energy, not merely materials and machinery. Since 1880, when the Employers' Liability Act was passed in England, there has been more progress in the care of industrial workers than in all previous time, and

most of this progress has been attained in the last twenty-five years. But there is something more than shower baths, reading rooms and glee clubs for wage earners now commanding the attention of employers and economists. Morale and hygiene are but a part of the plan of conservation. Partly as a result of the precise divisions of labor requiring the worker to confine himself to a single monotonous task, using the same bodily movements throughout the day, the number of occupational deformities has greatly increased. Alternating shifts and rest periods have not materially reduced this human wear and tear. Thus, into the factory has come the chiropractor to ease strained tendons and taut nerves, to suggest counteracting exercises, notably deep breathing and relaxation. Often this service is instituted as a result of the manufacturer or department manager having himself received vertebral adjustments and desiring that his employees receive them also.

From the reports of chiropractors virtually identical subluxations occur among women who have spent much time at the sewing machine, whether the electric or old-fashioned variety, just as stenographers habitually incur a contraction of the upper thoracic vertebrae. Printers setting type by the old method, continually reaching as they

stand before the case, similarly contract the upper spine, causing an occlusion of the nerve which goes to the intestine, and, eventually, chronic constipation. All athletes develop certain muscles at the expense of others, to which impingements are said to be due as extensively as to the hard knocks of competition. Even the rope-walkers are especially addicted to what is known as *chronic rotation*. Instrumental musicians seek out the chiropractor to relieve the effects of long hours of practice, very much as vocalists invite relaxation, so necessary to flexible singing. Violinists and pianists, who out-numbered all other instrumentalists prior to the jazz-crowned saxophone, are particularly affected by the postures required during hours of practice. Paradoxically, the contortionist trap drummer is not immune from rhythm, and we anticipate the "jazz spine" as an interesting rival to "railroad back" and "house-maid's knee."

In various phases of community life sedentary habits offer a serious problem. In church and school, as well as shop, is abundant evidence of old customs of neglect, and modern health crusades have as yet failed to inspire certain groups with a sense of the simple needs of bodily preservation. In some institutions health is menaced by improper diet which destroys the teeth and lowers vitality.

Seventy-five per cent of the women between the ages of twenty-four and thirty in one eleemosynary occupation possess false teeth in entirety. About the same proportion of Swedes lose their teeth before middle age, because of the excessive amount of dairy products consumed in early years. Peasants of Ireland, Germany and Switzerland, who rely extensively upon bread and potatoes, experience the early loss of teeth and are particularly subject to tuberculosis.

It is among such groups that organized chiropractic is beginning to plan an extensive service, teaching not only proper diet, but corrective exercises supplemental to the administration of spinal adjustments for maintaining vital energy and the relief of nerve pressure. Chiropractic has not endorsed any given regime, each practitioner merely recommending such food and exercise as seem best suited to the case. Considerable importance is attached to abdominal breathing. In the study and research into occupational disorders, concerning which comparatively few authentic statistics are as yet available, avenues of approach to the various fields—religious, educational, industrial, agricultural, professional—will demand thorough analysis. Already chiropractic has learned that even a request for its service may not always be granted, as

among inmates of soldiers' homes, for whom adjustments asked in many cases have been provided only after lengthy negotiations with government authorities. Strong economic considerations are advanced in the case of endowed institutions where money is spent on mental training to the neglect of bodily health.

The progress of chiropractic through these horizontal groups will be beset by the present guardians of public health who are prepared to oppose that which is alien to established methods. The fear that the vaccination of employees will be abandoned should chiropractic be extensively adopted in the densely populated spheres and the entire community thereby subjected to the danger of plague, alone will inaugurate new legislative and legal battles, greater in scope and intensity than those conflicts of the past in behalf of recognition. The Armageddon of chiropractic will require all the resources of the rapidly merging associations of professionals and laymen.

Industrial Compensation — Insurance

Already the right of the chiropractor to receive pay for services in cases within the scope of the industrial compensation law has occasioned dispute, notably in California where practitioners

were advised by the Industrial Compensation Commission in 1930 that they could not be accorded the same privileges as medical physicians and surgeons. Their bills sent to the commission were not honored, nor did the Chiropractic Examining Board, according to the "straights," take issue in the matter despite clauses in the chiropractic law which were regarded as establishing rights to compensation equal with those of the medical doctors.

In Section 13 of the act regulating the practice of chiropractic in California it is provided that "Chiropractic licentiates shall observe and shall be subject to all State and municipal regulations relating to all matters pertaining to the public health, and shall sign death certificates and make reports as required by law to the proper authorities, and such reports shall be accepted by the officers of the departments to which the same are made." Section 18 contains the paragraph: "Nothing herein shall be construed as repealing the 'medical practice act' of June 2, 1913, or any subsequent amendments thereof, except in so far as that act or said amendments may conflict with the provisions of this act as applied to persons licensed under this act, to which extent any and all acts or parts of acts in conflict herewith are hereby re-

pealed." In Section 17 it is provided that persons violating the provisions of the chiropractic act be prosecuted, and that the secretary of the board shall aid the district attorneys.

Recognition of chiropractic has been accorded by insurance organizations in more than half of the states and by many companies and beneficiary associations of a national character. As many as 145 insurance organizations in the United States and Canada in 1924 were paying claims for illness and accident over the signatures of chiropractors, according to a list published in Davenport. It is probable that a considerably larger number of organizations at present bestow this form of recognition, since the names have been listed mainly from the somewhat sporadic reports of chiropractors in response to inquiries. Many of the most prominent insurance companies of the country are included. The states where the greatest number of organizations have acknowledged such claims are Illinois, Massachusetts, New York, Indiana, Wisconsin, New Jersey and Ohio, indicating that the status of legal recognition in communities has little influence over insurance companies.

CHAPTER XVI

Highlights of Progress

HE INFLUENCES and happenings which have tended most strongly to advance the cause of chiropractic have been variously identified. Answers to a questionnaire sent by the author to leading educators of chiropractic in different parts of the country would indicate that since 1910 the most important influences have been, namely: better training and facilities for students of chiropractic, the amalgamation of organizations into such larger ones as the National Chiropractic Association and the International Chiropractic Congress; a generally growing prejudice against drugs, for which the "physical culture movement" and Bernarr Macfadden are cited as outstanding factors; improved means of diagnosis, such as the X-ray; increasing recognition of chiropractic as demonstrated and fostered by legislation; finally, a lessening of the power of schools over the profession at large.

Dr. C. M. Kightlinger, of the Eastern Chiropractic Institute, New York, among other school

men responding to the questionnaire in January, 1931, acclaims the physical culture movement and a resultant reaction from medication as of foremost influence upon the advancement of chiropractic. This movement began to attain national strength about the time the first chiropractic schools were established. The theories of Bernarr Macfadden on exercise and fasting attracted male readers of all ages and eventually many followers among young women. The "back to nature" slogan, health restaurants, simple diet, mastication and the exaggerated Fletcher style of eating, which proved too painstaking for healthy appetites, all reflected a newly rising interest in daily care of the body and less reliance upon patent medicines. Not only did the Macfadden pleas for nature as the greatest healer and exercise as the greatest preventive harmonize with chiropractic, but that self-cured publisher, whose muscles were pictured from Broadway to Golden Gate, openly espoused the Palmer principles, affording in *Physical Culture* one of those rare and effective mediums of advertising for the hard-pressed practitioners. To what extraordinary degree the sentiment against drugs has been increased by "nature propaganda" can be estimated by the success of this magazine and numerous other Macfadden publications.

Thousands of patients of chiropractors became converted to the subluxation theory as a result of the sensational attacks upon the use of drugs and vaccination.

Dr. Kightlinger sees the second outstanding influence as similar to the first: publicity regarding cases of unnecessary surgery, fee-splitting and unethical conduct on the part of medical doctors. The volume of this criticism has swelled almost continuously for a score of years, until even medical patients are beginning to revolt against dehumanizing clinics, specialists and paraphernalia, and to clamor for the return of the old family doctor—who is able to recall what ails his patient without looking up a chart with a history of the case at each visit.

This New York chiropractor declares that the decrease in factionalism within the chiropractic profession, accompanied by a growing spirit of co-operation, has greatly strengthened the system. Similar sentiment prompts Dr. Willard Carver, dean of faculty of Carver Chiropractic College, Oklahoma City, to name as a foremost influence the organization of the International Chiropractic Congress, which has engendered since 1926 a greater fraternal feeling among school and college heads, state examiners and the officers of state as-

sociations. In a more sardonic vein, Dr. Carver mentions as the second most important boon to chiropractic since 1910 the exploitation of a nerve testing device by Dr. B. J. Palmer, and observes: "thus emphasizing, by contrast, the marvelous value of the fundamental principles of chiropractic."

Dr. V. C. Schulze, president of the National College of Chiropractic, Chicago, considers that the realization of the necessity for higher educational standards has been the strongest influence for progress in the last twenty years. Second he names the amalgamation of the Universal Chiropractors Association and the American Chiropractic Association, which became the National Chiropractic Association in 1930. Dr. Schulze comments upon the advantages derivable through the breaking away from school influence by chiropractors in the field. "School men," he says, "have been guilty of pitting one set of practitioners against another, thus contributing a great deal of damage to the cause of chiropractic."

Dr. James N. Firth, vice-president of Lincoln Chiropractic College, Indianapolis, shares the opinion that improved education has been the greatest factor in advancing chiropractic. Since 1910 a high school training has become a preliminary re-

quirement for chiropractors, and the course of study in chiropractic schools has been extended until now the standard course covers three years. Dr. Firth adds that the curriculum has been so broadened that today's graduate chiropractor has a thorough training in all of the fundamental branches of sciences relating to health and disease, rendering him more competent in the public service with which he is entrusted. Second in importance Dr. Firth believes to be the legislative recognition now attained in the great majority of the states of the Union. "While some of the laws have been unfavorable to the rapid dissemination of chiropractic to the public, because of restrictions placed upon applicants for license, yet they have led to its respect in the public mind," says Dr. Firth. He proceeds to name as a happening of epochal importance the unification process taking place in the profession through the organization of the National Chiropractic Association, which is heralded as truly representative and free from the kind of factions and affiliations which have disrupted other organizations.

Dr. H. C. Harring, president of the Missouri Chiropractic College, St. Louis, considers that skillful advertising and the wonderful truth of chiropractic are mainly responsible for its success. He

cites the effective advertising of chiropractic's most prominent developer, Dr. B. J. Palmer, and refers to the cogent reasoning of the fundamentals relating to life force or intelligence which finds expression through the nervous system. He adds: "Medicine has offered nothing as appealing or logical as this, but has merely dwelt upon the mysteries as of old. Chiropractic became prominent at an opportune time, when people were beginning to tire of the use of drugs. The value of drugless healing methods had been proclaimed by Bernarr Macfadden and others, which made it easier for the people to accept chiropractic."

From the Palmer School of Chiropractic at Davenport opinions are forwarded by D. D. Palmer, grandson of the discoverer, who is business manager of the institution. It is indicated by letter that the answers to the questionnaire were drafted in the absence of Dr. B. J. Palmer. They describe as "definite" factors which have contributed most to the advancement of chiropractic in the last twenty years, declaring these factors to be research and the development of scientific methods where practice has rested on theory only; the substantiation of the chiropractic theory by the X-ray and nerve testing instruments; proof and location of vertebral subluxations as determined by the X-ray

in radiographing the spine. Finally is mentioned the securing of legislation in most of the United States, which has granted recognition to the practice of chiropractic as a distinct and separate science.

From the South comes an authoritative reply from Dr. James R. Drain, president of the Texas Chiropractic College. The chief causes for the progress of chiropractic since 1910 are held to be: first, advertising and publicity; second, the persistent fight to keep chiropractic a distinct science uncorrupted by extraneous and incompatible theories; third, the elimination of charlatanry in chiropractic education.

Dr. T. F. Ratledge, president of Ratledge Chiropractic School, Los Angeles, states: "In my opinion, the most important factors in the advancement of the cause of chiropractic are: The enactment of laws establishing boards of examiners composed of persons educated in chiropractic; organization and intelligent publicity, and the increased requirements in strictly chiropractic subjects by the leading chiropractic schools."

The Modalities

The following question showed a rather sharp and evenly divided sentiment: "What is the effect

of the chiropractor's use of mechanical accessories on the present and future status of chiropractic?" Dr. Drain emphatically declares: "Mechanical accessories only lead to confusion and the destruction of chiropractic. If continued by chiropractors the science will become absorbed by other professions and become extinct. Chiropractors must adhere to chiropractic and its philosophy."

Dr. Harring of St. Louis is less categorical, while evidently in no great sympathy with the "modalities." "If used only where indicated and with the clear understanding that such methods are not chiropractic they will do no harm," he advises, adding, however: "Practitioners with the least amount of knowledge regarding the human body, who do not understand enough about structure or function become the victims of mechanical accessory salesmen." Dr. Harring seems to regard the machine as something of a natural enemy to chiropractic, for he remarks upon the loss of enthusiasm on the part of practitioners after they stray from the fundamentals, and how for their failures chiropractic is blamed. "So long as enthusiasm runs high," says Dr. Harring, "they keep up their effective work, and then gradually lose confidence in their ability because they lost sight of the fundamental truth of their practice."

Dr. Carver ironically remarks as follows: "The effect upon chiropractic of the use of mechanical accessories is, by contrast, to emphasize the extreme value of the fundamental principles of chiropractic, and to arouse the layman to a realization that there is a movement that, if permitted headway, would take chiropractic from them."

From the "Fountain Head" comes a technical compromise, the Davenport opinion being that as long as chiropractors use mechanical means to help locate the precise point of nerve interference, or to determine the exact position of the vertebra, such appliances will be a great help to the chiropractor, "but where they are used for the purpose of treating effects, or for the stimulation of tissue," continues the Palmer statement, "they are immediately out of the realm of chiropractic and cannot be considered as such. The future status of chiropractic depends greatly upon the chiropractor staying within his own realm."

Unqualified defense of the use of appliances by chiropractors is afforded by Dr. Schulze of Chicago. He writes as follows: "We beg to state that the effect of a chiropractor's use of mechanical accessories is bound to help chiropractic and the future status of chiropractic. This is already proven in the steady progress that has been made.

For instance, the old definition of chiropractic was that it was a system of healing by finding, through palpation in the hand, the subluxations of the movable vertebrae of the spine and correcting them by hand. As long as twelve to fourteen years ago the X-ray was introduced as an accessory in helping to locate deviations from the normal in the human spine. Further progress is shown in the use of other diagnostic methods, such as blood pressure apparatus, the stethescope, laboratory findings, etc., and translating the symptom complex in every case into terms of chiropractic through the addition of the spinal findings.

"The average patient going into the office of a 'doctor of chiropractic' and getting an all-round check-up of his condition through mechanical or other accessories is favorably influenced toward chiropractic and toward the practitioner. That which is true of the analysis or diagnosis of a case is true of the treatment. If a patient has diabetes or a degenerative cardiac-vascular-renal trouble, the diet becomes of supreme importance along with the adjustment of the spine. For the control of pain, Nature's methods, such as the application of heat or cold and other accessories, have a splendid effect in enhancing the present and future status of chiropractic."

In the estimation of Dr. Kightlinger of New York the machine is a sort of two-faced usurper, one face looking smilingly forward and the other unhappily backward. He contributes an especially interesting opinion. "The chief effect of the chiropractor's use of mechanical accessories," says Dr. Kightlinger, "has been to stimulate a more critical study of chiropractic principles by chiropractors and greater precision on their part in performing their work. This effect has been just as profound among non-users of accessories as among users, inasmuch as the work of these two groups became, with the advent of instruments, to a certain extent competitive. Each group has had to justify its position by the superiority of results obtained. I am referring here to those accessories which aim to assist the chiropractor in detecting points in the spine which require his attention.

"Accessories of the type generally recognized as belonging to physio-therapy have in most instances tended to submerge the identity of chiropractic, and this will always be true. Moreover, much of the apparatus sold under this head is of unproved and doubtful value, if not positively pseudo-scientific, and can only tend to discredit the profession among intelligent people."

Dr. Ratledge says: "The effect of the use of

mechanical accessories by chiropractors has been decidedly bad and will continue to be so in exact ratio with their use. First, they have not been demonstrated or recommended by chiropractic scientists but have been sold to the profession by high-pressure salesmen who stressed their commercial value but knew nothing of any scientific value that might or might not have resulted from their use. Second, none of them are consistent with the basic principles of chiropractic, but are instead medical or therapeutic treating devices and therefore will never properly become the practice of chiropractic. Third, to whatever extent one believes in such devices he disbelieves in chiropractic and his confidence in chiropractic accordingly diminishes."

Chiropractic Outlook

A final question concerned the outlook for chiropractic in the several states where these schools are located and naturally evoked a unanimous optimism. Dr. Kightlinger writes regarding New York:

"The outlook for chiropractic in my state was never better. The profession will never abandon its efforts to obtain legal recognition, and the way for this is being paved by persistent education of

the public as to the merits of chiropractic and by the establishment of a high plane of professional training for the practitioners of the future. Moreover, shortcomings of those already in the field are being met regularly through a broad program of post-graduate education." He considers the national prospect to be excellent, and proceeds to say: "One reason for this is that chiropractors are appropriating the advances in modern physiology in defense of their own principles."

In Illinois, where chiropractors' licenses are issued through the medical board, conditions seem encouraging to Dr. Schulze. He declares the outlook never better. Under the law requiring four years' study of eight months each he observes that all the licensed chiropractors are increasing their practice and gaining in neighborhood reputation. Dr. Schulze writes thus: "The last examination held in Illinois revealed that every one who took the State Board Examination passed and received his or her license. What is true of this state will be equally true of all other states. The thoroughly educated chiropractor who has the necessary educational qualifications before he starts the study of chiropractic can take up this work with the assurance that his chances of success will be great, if not greater, than in any other profession."

The conditions in Iowa seem equally heartening, full recognition having been attained for years, establishing chiropractic firmly among the healing professions. In Indiana the mixed board appears not to be a serious obstacle, according to Dr. Firth, who regards the prospects as bright. However, there is room for only the well-qualified, he adds, saying: "The public is demanding intelligent and capable service and it has a right to this type of service. Young men and women entering this profession who are mentally and physically fit, morally sound and carefully trained will find great demand for their services."

More chiropractors are needed, remarks Dr. Ratledge, saying: "The outlook for chiropractic is to be viewed by the proportion of the people now served by it. Ten to fifteen per cent is certainly all that can be claimed, at present, which means that chiropractic should be represented by ten chiropractors to each one now practicing."

Never has the outlook for chiropractic been so fair in Oklahoma, according to Dr. Carver. Nationally there is less cause for congratulation, as knowledge of the science has lagged in various sections. Dr. Carver detects a disposition to learn, which augurs advancement.

Similar reactions are revealed on the part of

Dr. Harring of Missouri. Although chiropractic enjoys autonomy in this state and the outlook is declared splendid, he concludes by saying: "The deplorable state of affairs is that so few people know what chiropractic really is, what it will do and how it does it." Dr. Harring infers that the outlook favors the science more than the practitioner, but remarks that "the chiropractor who is building his practice on a firm basis, with the one object in mind, of rendering to the public the best service in him, sees a bright future."

The so-called open state of Texas keeps its chiropractors prosperous, writes Dr. Drain. "Optimism reigns," he says, "and there is no apparent factor present that indicates anything but progress for the profession in this state. Generally, I would say, chiropractic has passed through the 'boom' stage and also the 'slump' which invariably follows, and is now growing and building upon a solid foundation, a growth which cannot be toppled like the older structure which was built upon the sands of miraculous cures."

CHAPTER XVII

The Founder's Dream

D. D. PALMER evidently believed he had made a discovery which would change scientific conceptions of life, mind, disease and the treatment thereof. This is extensively indicated in his writings. If in its fruition chiropractic has not startled science perceptibly, it is surmisable that this may be due to more or less bigotry among older healing systems. As for the lay world, the ignorance of the average person regarding his body and curative methods, his helplessness in the presence of life's mysteries, dispose him to cling to established custom. Nevertheless, Palmer's theory of *innate intelligence,* vital energy and nerve impingement, remaining the corner-stone of chiropractic faith, has left an impress upon millions of patients in all parts of the world. We may assume that the deductions of the aged philosopher of Davenport may not be forgotten, that in due course they may receive a greater homage from the savants, since this is the way of science.

He declared chiropractic destined to revolutionize healing methods which had been in vogue 3,000 years. He proclaimed his discovery of the principle of life. He pictured a new concept of biology taught in the schools and universities of the world, his own name perhaps ranking above that of Darwin, Leibnitz or Harvey, and his adopted country, the United States, lifting him to a pedestal of distinction unrivaled in science.

His biological theory was that of a dualistic system composed of the mind and the body united by the soul or intellectual life; but this is less of a departure than his doctrine of vital force and his "basic principle" of *tone*, upon which he declared he founded the science and developed the philosophy of chiropractic.

As though actuated by the hope of establishing a religion with health its corner-stone, he discussed Universal Intelligence as the source of life, energy and bodily tone. His "new theology," enunciated during the years immediately prior to the opening of the Palmer school, was in accord with those advanced metaphysical teachings based upon Christianity. This is shown by the following statements:

"The Intelligent Life-Force of Creation is God," says Dr. Palmer in *The Chiropractor's Ad-*

juster, page 446. "It is individualized in each of us. It desires to express itself in the best manner possible.

"In every phase of life, vitality and action, man's highest aspiration should be to advance himself to a higher level, to make himself better mentally and physically."

Since chiropractic is chiefly concerned with the nerves, as the transmitters of energy throughout the body, which, according to D. D. Palmer, receive their power from Universal Intelligence operating through Innate Intelligence, it seemed logical to the founder to unite the physiological and curative principles of chiropractic with the above-mentioned philosophic precepts already in good standing. The result might be a final merger of religion and healing on an unprecedented scale. The growing interest in the New Thought movement and Christian Science, which had effected this same merger, disclosed a vast area for conquest. Were not the benefits of chiropractic more readily demonstrable than those of mental treatment? Was not chiropractic more substantial, more easily grasped, than the current drift of metaphysics? As religion and healing had been one and inseparable in early times, and had been taught conjointly by Jesus, assuredly chiropractic was blessed with

an unrivaled opportunity—to reunite those two supreme forces which medicine had divorced for centuries—to place a halo upon the brow of the goddess of health and with solemn invocation call to her side her greatest ally, Faith.

It is a matter for conjecture whether chiropractic, under this name or another, might have won a greater following had the ambitions of the former magnetic healer been realized. It is more than probable that he dreamed of filling a role as distinctively influential as Mrs. Eddy's or Brigham Young's, with the academic rank of an Eliot, making a successful appeal to the masses through an ecumenical revelation to the effect that the nerves are the receiving instruments of a broadcasting Universal Intelligence. Unfortunately for D. D. Palmer broadcasting had no significance in the year 1900, and the antennae which finally came to grace the Palmer school harped of the spine rather than the cosmos. The chronic disagreement between father and son and the latter's control of chiropractic reduced it to values ostensibly more practical. In the struggle for existence Palmer School had all it could do to find students, to whom the subject of spinal adjustment was a surer appeal than philosophy. Dr. B. J. Palmer was less anxious to emulate Moses and Giordano Bruno than to get

advertising space and stay within the law. And regardless of the mighty visions of his inspired and uncompromising parent, it was natural that he should wield a glittering scepter over the realm which they had established, exercising an influence almost mystical over thousands of followers.

Loyalties in the profession are tense despite factionalism, having been strengthened by general oppression and prejudice as well as by scholastic rivalries. In the fervent attitude of the chiropractor is seen something that still reflects the inspiration of D. D. Palmer. As a rule the practitioner is very much of a zealot, in whose philosophy Innate Intelligence remains fundamental.

Thus, against adverse winds the little ship of chiropractic has fought onward, shorn of its heavy rigging and steered to the chart of anatomy and the dead reckoning of technic.

Because there was none of the conventional modesty of the teacher and way-shower in the elder Palmer, because, on the other hand, he was habitually vainglorious and arbitrary, does not prove him less sincere in his convictions. That he was not the ethereal type of genius or an inspired plodder with an urge for perennial research cannot disprove the worth of his discovery. If he was incon-

sistent and disorderly he was no more so than some of the greatest minds of history.

Despite his constant reiteration that he was the discoverer and founder of chiropractic he more than once disclaimed credit for the theories supporting it. "The basic principle, and the principles of Chiropractic which have developed from it, are not new," he wrote. "They are as old as the vertebrata. I have, both in print and by word of mouth repeatedly stated, and now most emphatically repeat the statement, that I am not the first person to replace subluxated vertebrae, for this art has been practiced for thousands of years. I do claim, however, to be the first to replace displaced vertebrae by using the spinous and transverse processes as levers wherewith to rack subluxated vertebrae into normal position, and from this basic fact, to create a science which is destined to revolutionize the theory and practice of the healing art."*

Elsewhere he wrote: "The most wonderful study of mankind is man, The grandest and greatest science is Chiropractic."† The importance of his discovery he was never slow to proclaim, as by inference in the sentence: " 'The world has strug-

*The Chiropractor's Adjuster, p. 11.
†Ibid., p. 982.

gled in darkness, pain and mystery for ages, because' every method treated the effects instead of adjusting the cause thereof."*

It was but three years prior to his death that D. D. Palmer wrote: "I have less than thirty-seven years in which to direct the development of Chiropractic, and therefore I desire to see every Chiropractor an earnest student of the science and thoroughly equipped to practice this art in a manner that will at once bring credit upon himself and honor and renown upon the science he represents."†

With characteristic pride and intolerance he referred to his discovery as follows: "It was the key which has ultimately unlocked the secrets of functional metabolism; it is the entering wedge destined to split the therapeutical log of superstition wide open, revealing its irrational and ignorant superstition."‡ Stating that chiropractic was able to correct abnormalities of the intellect as well as those of the body, he added: "These discoveries and their development into a well-defined science are worth more to the student, practitioner and

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*The Chiropractor's Adjuster, p. 84.

†Ibid., p. 11.

‡Ibid., p. 18.

those desiring health, than all the therapeutical methods combined."* The final sentence on this page is the most sweeping pronunciamento of all: "I have answered the time-worn question—What is life?"†

*The Chiropractor's Adjuster, p. 19.
†Ibid., p. 19.

APPENDIX

APPENDIX

CHRONOLOGY

Daniel David Palmer born March 7, 1845.

D. D. Palmer moves to Davenport from Burlington, Iowa, September, 1895.

First chiropractic adjustment, September, 1895.

D. D. Palmer founds Palmer School of Chiropractic, 1897.

First student enrolled at P.S.C., 1898.

Regular teaching at P.S.C. begun January 15, 1898.

B. J. Palmer enrolled at P.S.C., 1902.

P.S.C. moves to 828 Brady Street, 1905.

Infirmary of P.S.C. opened, 1905.

Parker School of Chiropractic established at Ottumwa, Iowa, 1905.

First arrest of a chiropractor "for practicing medicine," 1906.

D. D. Palmer arrested, 1906.*

B. J. Palmer assumes control of P.S.C., 1906.

American School of Chiropractic established at Cedar Rapids, Iowa, 1906.

Carver-Denny Chiropractic College incorporated, 1906.

P.S.C. incorporated, 1906.

Universal Chiropractors Association organized, 1906.

First of all chiropractic bills submitted, in Oklahoma, 1907.

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*Erroneously indicated in Chapter III as at an earlier date.

First chiropractic law passed, in Kansas, 1913.

D. D. Palmer dies, October 20, 1913.

First chiropractic law actually in effect, in Arkansas, 1915.

Chiropractic law passed in Nebraska, 1915.

International Association of Chiropractic Schools and Colleges organized at Davenport, Iowa, August, 1917.

Chiropractic law passed in Oklahoma, 1921.

Chiropractic law passed in California, 1922.

Neurocalometer appears, 1924.

Modalities come into extensive use, 1924.

General depression; P.S.C. domination weakens, 1924.

American Chiropractic Association organized, 1922.

Dissension splits Universal Chiropractors Association, 1925.

American Bureau of Chiropractic organized, 1925.

Chiropractic Health Bureau organized September 4, 1926.

"Basic science" laws go into effect in Nebraska and Washington, 1926.

International Congress of Chiropractic Examining Boards formed, 1926.

International Chiropractic Congress established, September, 1928.

Tom Morris, chief counsel for the U.C.A., dies in New York, September 17, 1928.

A department of physio-therapy is organized at Carver College, 1929.

Universal Chiropractors Association and American Chiropractic Association combine as the National Chiropractic Association, November, 1930.

APPENDIX

CORRELATIVE DATA

It is said that the average chiropractor cares for approximately 120 individuals each year. According to this nearly 2,000,000 persons in the United States receive adjustments annually.

Pliny said that Rome went without physicians for 600 years. Then when medicine was revived and suddenly became a profitable profession many illiterates felt the call. Butchers, tanners and even grave-diggers became doctors.

Andrea Cesalpino (1519-1603) was showered with abuse for declaring his belief that the blood circulated in the veins.

In 1930 prosecutions of chiropractors in New York occurred under the "State Educational Law."

Iowa is one of eight states having laws which forbid fee splitting among physicians. "But nowhere is the law enforced," observes Dr. James Fairchild Baldwin.

Tom Morris, Sr., former lieutenant governor of Wisconsin, for the last twenty-five years of his life was general counsel for the Universal Chiropractors Association. His son, Thomas Morris, of Los Angeles, has recently been appointed general counsel for the California Chiropractic Association, and local counsel for the National Chiropractic Association.

According to a statement from Dr. Lyndon E. Lee, president of the Greater New York District Chiropractic Society,

less than one-fifth of a total of approximately 15,000 cases against chiropractors in the United States up to 1924 resulted in a verdict of guilty.

"Frequently the sick man ceases to be a patient and becomes a case—a vehicle for an interesting disease."—*Medical Journal and Record*, New York, Nov. 19, 1924.

In 1930 there were reported to be 149,521 physicians in continental United States, of which the greatest number in any one state was in New York, namely, 18,634. Nevada counted but 129. There is one physician to every 733 individuals in the United States. In Los Angeles County, where the number of chiropractors in proportion to the population is exceptionally great, there is one chiropractor for every 1,300 of the population

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Sixty-three leading medical schools in the United States in the fiscal year, 1926-1927, took in $11,983,873, of which $4,057,304 was received in student fees. There was paid out $11,308,800, of which $5,469,214 went to teachers.

Dr. Ray Lyman Wilbur, Secretary of the Interior and foe of chiropractic, speaking on the "conservation of human resources," was quoted as follows in press dispatches of November 9, 1930: "Wilbur said that of the 45,000,000 children in the United States, 1,500,000 have communicable diseases with a large annual death rate—to a large extent preventable; 3,000,000 to 5,000,000 are suffering from handicaps, deafness, blindness, crippling or mental deficiencies, much of which might be ameliorated; 18,000 die from accidents—'of course, preventable;' and 200,000 pass annually

under the judgment of the courts." Secretary Wilbur spoke over the Columbia Broadcasting chain for the purpose of calling attention to President Hoover's child health conference of November 19 to 22.

Dr. Zoltan Klar in 1930 complained to the Budapest Municipal Council, which controls the hospitals of that city, that too many American medical students were assisting at operations to facilitate the obtaining of degrees in American schools. Dr. Klar's uncomplimentary protest was this: "Is the council ready to end the abuse of people who, in good faith, undergo operations but are really experimented upon by American students of unknown medical skill? If not, are the members of the council willing to submit their own bodies to the experimentation of such American students?"

"Opium is a festering sore upon the face of modern civilization. It is an international shame that a society of nations is so linked with commercial interests that its members are unable to blot out this scourge. The moral conscience of the world must be profoundly low when a small number of vile traders are able to sway the councils of nations which vaunt themselves as masters of civilization."—Guglielmo Ferrero.

Apropos of this the *Journal* of the American Medical Association says: "International conventions cannot cope with a problem so great."

Dr. B. J. Palmer was graduated as a chiropractor in 1902 at the age of twenty.

More than $3,000,000,000 is invested in the 7,000 medical hospitals of the United States with their beds for 900,000.

The *Fountain Head News* began in 1908 as a mimeographed letter, written by Dr. B. J. Palmer.

The third wife of Dr. D. D. Palmer is said to have been a spiritualistic medium.

Dr. B. J. Palmer, although easily moved by music, is usually not sensitive to criticism. He is proud of his artistic possessions, especially his rugs.

Dr. D. D. Palmer declared that he administered magnetic treatments to Rev. Samuel Weed in 1894 for splenic trouble, and in 1896 chiropractic adjustments for sciatica. Mrs. Weed and her daughter had already been under Dr. Palmer's care.

The Alameda County Chiropractic Association of California paid five dollars a month to the families of chiropractors sent to jail.

By 1922 eleven supreme courts had upheld the legality of chiropractic boards.

Men of the political and sporting firmament take kindly to chiropractic, as evidenced by the following names of those who have received adjustments, according to the *Chiropractic News* of October 23, 1930: former Governor Hoard, of Wisconsin; former Governor Pat Neff, of Texas; former Governor Foss, of Massachusetts; former Governor Frank White, of North Dakota; former Lieutenant governer Thomas Morris, of Wisconsin; former Lieutenant governor Edgar Howard, of Nebraska; former Governor Silas Holcomb, of Nebraska; former sergeant-at-arms of the House of Representatives, Colonel Henry Casson; former champion pugilists

of the world, James J. Corbett and Jack Dempsey; former heavyweight wrestling champion of the world, Joe Stecher; the former wrestling champions, Jack Reynolds and Earl Caddock, and the famous baseball pitcher, "Smoky" Jo Wood. Other well-known names presented through the above-named organ of the American Bureau of Chiropractic are those of many congressmen and former congressmen, including T. T. Ansberry, of Ohio; C. C. Anderson, of Ohio; James A. Gallivan, of Massachusetts; F. H. Gray, of Indiana; J. M. Griggs, of Georgia; C. W. Hamlin, of Missouri; P. P. Campbell, of Kansas; George S. Legare, of South Carolina; L. P. Padgett, of Tennessee; D. S. Church, of California; W. A. Thomas, of Ohio; Thomas Gallagher, of Illinois; J. J. Green, of Iowa; C. Brumbaugh, of Ohio; Roscoe C. McCulloch, of Ohio; George W. Prince, of Illinois; W. B. McKinley, of Illinois; C. C. Kearns, of Ohio, and M. P. Kincaid, of Nebraska.

From the same source comes the information that the New York Giants' baseball team employs a chiropractor to keep its members in good condition.

There are prophets who say the tables will turn. Instead of osteopaths and chiropractors being coerced into a perusal of medical laws, physicians and surgeons, eventually, will be compelled to learn vertebral adjusting.

Professor Virchow in his *Cellular Pathology*, published in 1855, declared that cellular derangement was the beginning of that process known as disease.

Zoism is the theory that vital force causes all biological phenomena.

RISE OF CHIROPRACTIC

By October, 1922, twenty-two states in the Union had established chiropractic examining boards and their legality had been upheld by eleven supreme courts. Other supreme court decisions had declared that the practice of chiropractic was not the practice of medicine.

The first chiropractic law, passed in Kansas, 1913, did not go into effect until 1915, due to the opposition of the governor. F. A. Hines, of Scott City, Kansas, and eighty-six chiropractors led the campaign to victory.

Chiropractic teaches that Innate Intelligence has nine primary functions by which the body is restored to normal or adaptive conditions.

Subluxations interferring with the transmission of vital force are given as the prime cause of insanity and crime.

In addition to subluxations, curvatures of the spine are corrected by chiropractors.

More than 15,000 prosecutions against chiropractors are said to have occurred in the United States during the first thirty years of chiropractic.

Radio announcement: "20,600 physicians [1] have declared 'Luckies' least irritating of all cigarettes." (1931.)

When L. A. Hall, D.C., of Bakersfield, California, in 1921 was acquitted of the charge of practicing medicine without a license, a vocalist in the court room rose and sang *The Star-Spangled Banner.*

Morris Fishbein, M.D., in his *Medical Follies*, page 61, defines chiropractic as "the malignant tumor on the body of osteopathy." Dr. Fishbein edits the *Journal* of the American Medical Association.

Peter Henrik Ling, a Swedish poet (1766-1839), discovered that fencing helped to cure rheumatism. He abandoned his preparations for the ministry to develop a system of physical culture, from which was evolved his "mechanotherapy," the famous "Swedish movement." Modern manipulative healing systems are sometimes traced to this source.

The publication of Dr. Albert Abrams' *Spondylotherapy* in 1910 brought the condemnation of the American Medical Association. This book advanced the theory that the organs of the body were governed by nerve centers in the spinal cord and could be made to dilate or contract by stimulating the nerve centers through the manipulation of the vertebrae.

Dr. Abrams was vice president of the California State Medical Society, president of Emanuel Polyclinic, president of the San Francisco Medico-Chirurgical Society, professor of pathology at Cooper Medical College and professor at Leland Stanford University. He was graduated as a doctor of medicine at University of Heidelberg before he had reached the age of twenty. He studied in Berlin, Vienna, Paris and London, and for many years was regarded as one of the foremost minds in his profession.

In making a chiropractic adjustment much depends upon an exactly proper amount of applied force. Differentiation is made between finger force, thumb force, straight

arm force, shoulder drop force, recoil force, toggle recoil force and torque force.

One of Arkansas's able champions of chiropractic in 1913 was Hon. George S. Evans, a prominent lawyer who became general counsel for the National Federation of Chiropractic State Associations.

MEDICINE. The practice of medicine includes the application and use of medicines and drugs for the purpose of curing, mitigating, or alleviating bodily diseases, while the practice of surgery is limited to manual operations usually performed by surgical instruments or appliances. Bouvier's Law Dictionary.

A slump in 1924 caused many chiropractors to adopt modalities.

"London, Jan. 16 (1930)—Forty children were blinded today at Kesarion, near Athens, Greece, the Express reported, because attendants at an eye clinic there used a powerful cauterizing fluid by mistake for a medical syringe fluid. The children had been taken to the clinic for eye tests, and were placed in a room where other patients had been treated for infectious diseases. . . ."—*Chiropractic Digest*, February, 1930.

"Back to Nature" was the slogan of Rousseau in 1778.

Anne Hutchinson in 1634 bade the sick people who besieged her house to get into harmony with the laws of nature, for she believed nature and God to be one. But

illness, she taught, was not a sign of God's wrath, but the result of wrong living or accident.

"The United States Congress was appealed to for more whiskey by 89,000 practitioners of 'scientific medicine' through a resolution adopted by the House of Delegates of the American Medical Association at St. Louis recently. Perhaps there is some truth in the statement made by a group of bartenders the other day 'that the chief reason for prohibition was to give the liquor business over to the doctors so that they may become more popular than the chiropractors.'" —*California Backbone*, December, 1922.

The Salvation Army, a little more than half a century old, has endured much ridicule and persecution. But the whole world now knows of its work in the Great War. Incidentally, the Army in 1931 has fifty-six training colleges and is represented in eighty-three countries and colonies.

Tonsillectomy is alluded to by the *Mason City Globe Gazette* as now an orthodox Gentile ceremony.

The drug and tobacco habits are regarded by chiropractic as indicative of physical abnormalities, which when eliminated by vertebral adjustment cause the habit to disappear.

Chiropractic maintains that all communicable diseases are caused by subluxations, and that *natural* immunity is the best.

"Nerves heat the body; normal heat is health; heat in a degree more or less than normal is disease. Pressure on nerves

causes an excess of heat. Metabolism is normal when heat is natural—a condition known as health. These principles have been reduced to law expressing a rule of successive action of certain phenomena. They have been formulated into a system which constitutes a science."—*The Chiropractor's Adjuster*, page 542.

"By this action Commissioner Wynne's connections are severed not only with his local professional association, but with the medical society of the State of New York and the American Medical Association—in short, with the entire body of organized medicine."—*New York Medical Week.*

The New York health commissioner had endorsed a tooth paste.

The Illinois Medical Society discovered in 1923 after its questionnaire "What did you do the last time you were sick?" that only fourteen per cent of the people were loyal to medicine.

With the rapid increase of cancer, one of every ten deaths of persons above the age of forty is now attributed to this cause.

In the *Chiropractic Record* of December, 1912, Willard Carver, LL.B., D.C., editor, author, and head of Carver Chiropractic College of Oklahoma City, describes the advent of osteopathy: "In the year 1874, a unique and peculiar innovation was brought to light through the agency of one A. T. Still, M.D., of Kirksville, Missouri. This was the substitution of a peculiar system of manipulation to take the place of medicine. It was based upon all the propositions of therapy

as completely as medicine had ever been. It declared nothing new or different about the human body than had before been known and advanced, and only took the broad ground that the lesions which occurred as incident to disease could be reduced by direct manipulation at the point where the symptoms were manifest, and in this manner wholly obviate the necessity for drugs. This was nothing but an advance over the system called magnetic healing. . . ."

"The training of a young doctor of medicine tends to brutalize him, notably in the work of dissection. Physicians and surgeons are obliged to harden themselves. But if you do not have sympathy you cannot react properly to the demands of a case."—T. F. Ratledge, D.C.

During the California campaign of 1922 the Chiropractic Defenders' League of that state claimed more than 28,000 lay members. In the press of the northern counties more than 2,000 articles appeared relative to the chiropractic bill.

The cities of Waco, Texas, and Davenport, Iowa, have the largest chiropractic hospitals. Besides these are a few institutions having rarely more than five or six beds.

The first actually state-wide convention of chiropractors occurred at Oklahoma City, November 11, 1912, at the Lee Huckins Hotel. It endorsed the program of the National Federation which had been organized the previous month, and adopted a bill for presentation at the next legislature. This new Oklahoma State Association of Doctors of Chiropractic elected J. Ford Johnson, D.C., president, and M. E. Bosely, D.C., vice president.

LAWS GOVERNING CHIROPRACTIC

The following laws governing chiropractic have been selected as representing respectively the major groups of states where recognition of chiropractic obtains. Each statute, in so far as it relates to chiropractic, is regarded as fairly characteristic of the group represented, although various minor differences occur.

This supplementary information exemplifies conditions in all states except Utah and Louisiana, and those eight "open" states where there are no laws recognizing chiropractic. It affords an insight to the precise status of chiropractic and its relations with the medical system.

The law of California provides chiropractic autonomy, which exists in twenty-three states. That of Connecticut represents the six states where an examination in the "basic sciences" is required. The Ohio statute typifies those of the five states where there are mixed boards of examiners. The Virginia law reflects policies similar to those of Colorado, Illinois and Michigan, the four comprising that group where licenses are issued through medical boards.

The Oklahoma law is included, notwithstanding this state's position in the same group with California. The purpose is to show the scope of variance between laws that create and control equivalent situations. Here occur differences in the number of members of the boards of examiners, their salaries, the study subjects required of chiropractors and in other provisions.

APPENDIX

CALIFORNIA

An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the state board of chiropractic examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

The people of the State of California do enact as follows:

SECTION 1. A board is hereby created to be known as the "state board of chiropractic examiners," hereinafter referred to as the board, which shall consist of five members, citizens of the State of California, appointed by the governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom.

Each member of the board first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. No two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of chiropractic, nor shall more than two members be residents of any one county of the state. And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of ten dollars for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem, traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the state's taxes.

SEC. 2. Within sixty days of the date upon which this act takes effect, the governor shall appoint the members of the board. Of the members first appointed, one shall be

appointed for a term of one year, two for two years, and two for three years. Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each member shall serve until his successor has been appointed and qualified. The governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member.

SEC. 3. The board shall convene within thirty days after the appointment of its members, and shall organize by the election of a president, vice president and secretary, all to be chosen from the members of the board. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board in an amount not exceeding one thousand dollars per annum, but not per diem, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the state in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at all times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 4. The board shall have power:

(*a*) To adopt a seal, which shall be affixed to all licenses issued by the board.

(*b*) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the

performance of its work, copies of such rules and regulations to be filed with the secretary of state for public inspection.

(*c*) To examine applicants and to issue and revoke licenses to practice chiropractic, as herein provided.

(*d*) To summon witnesses and to take testimony as to matters pertaining to its duties; and each member shall have power to administer oaths and take affidavits.

(*e*) To do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.

SEC. 5. It shall be unlawful for any person to practice chiropractic in this state without a license so to do. Any person wishing to practice chiropractic in this state shall make application to the board fifteen days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of twenty-five dollars and a certificate showing good moral character of the applicant. Except in the cases herein otherwise prescribed, each applicant shall be a graduate of an incorporated chiropractic school or college which teaches a course of not less than two thousand four hundred hours, extended over a period of three school terms of at least six months each, and must give satisfactory proof of having attended not less than ninety per cent of said two thousand four hundred hours, and shall present to the board at the time of making such application, a diploma from a high school, or proof, satisfactory to the board, of education, equivalent in training power to a high school course.

The schedule of minimum educational requirements to enable any person to practice chiropractic in this state is as follows, to wit, except as herein otherwise provided:

Anatomy	600 hours
Histology	100 hours
Elementary chemistry and toxicology	100 hours
Physiology	200 hours
Bacteriology	100 hours

Hygiene and sanitation	100 hours
Pathology	200 hours
Diagnosis or analysis	400 hours
Chiropractic theory and practice	500 hours
Obstetrics and gynecology	100 hours
Total	2400 hours

SEC. 6. (*a*) The board shall meet as a board of examiners on the first Tuesday following the second Monday of January and July of each year, and at such other times and places as may be found necessary for the performance of their duties. The office of the board shall be in the city of Sacramento. Suboffices may be established in Los Angeles and San Francisco, and such records as may be necessary may be transferred temporarily to such suboffices. Legal proceedings against the board may be instituted in any one of said three cities.

(*b*) Each applicant shall be designated by a number instead of the name, so that the identity will not be disclosed to the examiners until the papers are graded.

(*c*) All examinations shall be in writing, except in cases herein otherwise prescribed, and shall be practical in character, as taught in chiropractic schools or colleges, and designed to ascertain the fitness of the applicant to practice chiropractic. Said examinations shall be in each of the subjects as set forth in section five hereof. A license shall be granted to any applicant who shall make a general average of seventy-five per cent, and not fall below sixty per cent in more than two subjects or branches of said examination. Any applicant failing to make the required grade shall be given credit for the branches passed, and may, without further costs, take the examination at the next regular examination on the subjects in which he failed. For each year of actual practice since graduation the applicant shall be given a credit of one per cent on the general average.

SEC. 7. One form of certificate shall be issued by the board of chiropractic examiners, which said certificate shall

be designated "License to practice chiropractic," which license shall authorize the holder thereof to practice chiropractic in the State of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry or optometry, nor the use of any drug or medicine now or hereafter included in materia medica.

SEC. 8. Any person who shall have practiced chiropractic for two years after graduation from a chiropractic school or college, one year of which shall have been in this state preceding the date upon which this act takes effect, or any person who graduated from a chiropractic school or college prior to January 1, 1922, and who shall present to the board satisfactory proof of good moral character and having pursued a resident course of not less than two thousand hours in a legally incorporated chiropractic school or college, shall be given a practical and clinical examination in chiropractic philosophy and practice, and if he, or she, make a grade of seventy-five per cent in such examination, the board shall grant a license to said applicant to practice chiropractic in this state under the provisions of this act; *provided, however,* that application for said license is made within six months of the date upon which this act takes effect and that each applicant shall pay to the secretary of the board the sum of twenty-five dollars.

SEC. 9. Notwithstanding any provision contained in any other section of this act the board, upon receipt of the fee of twenty-five dollars, shall issue a license to any of the following named persons:

(*a*) To each member of the board.

(*b*) To any person licensed to practice chiropractic under the laws of another state, having the same general requirements as prescribed in this act; *and provided, further,* that such other state in like manner grants reciprocal registration to chiropractic practitioners of this state.

SEC. 10. (*a*) The board shall refuse to grant, or may revoke, a license to practice chiropractic in this state, or may

cause a licensee's name to be removed from all records of licensed practitioners of chiropractic in this state, upon any of the following grounds, to wit:

The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. Any person who is a licentiate, or who is an applicant for a license to practice chiropractic, against whom any of the foregoing grounds for revoking or refusing a license is presented to the board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before the board in person or by an attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused. The secretary in all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate

of such person the following: "This certificate was revoked on the .....day of ....," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(*b*) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars upon the issuance of a new license.

SEC. 11. (*a*) Every person who shall receive a license from the board shall have it recorded in the office of the county clerk of the county in which he resides, and shall have it likewise recorded in the counties into which he shall subsequently move for the purpose of practicing chiropractic.

(*b*) The failure or the refusal on the part of the holder of a license to have it recorded before he shall begin to practice chiropractic in this state, after having been notified by the board to do so, shall be sufficient ground to revoke or cancel a license and to render it null and void.

(*c*) The county clerk of each county in this state shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such license shall be presented to him for record he shall stamp upon the face thereof his signed memorandum of the date when such license was presented for record.

SEC. 12. Each person practicing chiropractic within this state shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of two dollars. The secretary shall, on or before November first of each year,

mail to all licensed chiropractors in this state a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee of two dollars during the time his or her license remains in force shall, after a period of sixty days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of ten dollars, except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of sixty days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

SEC. 13. Chiropractic licentiates shall observe and be subject to all state and municipal regulations relating to all matters pertaining to the public health, and shall sign death certificates and make reports as required by law to the proper authorities, and such reports shall be accepted by the officers of the departments to which the same are made.

SEC. 14. All moneys received by the board under this act shall be paid to the secretary of said board, who shall give a receipt for the same and shall at the end of each month report to the state controller the total amount of money received by him on behalf of said board from all sources, and shall at the same time deposit with the state treasurer the entire amount of such receipts, and the state treasurer shall place the money so received in a special fund, to be known as the "state board of chiropractic examiners' fund," which fund is hereby created. Such fund shall be expended in accordance with law for all necessary and proper expenses in carrying out the provisions of this act, upon proper claims approved by said board or a finance committee thereof.

SEC. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or

fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars and not more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or both.

SEC. 16. Nothing in this act shall be construed to prohibit service in case of emergency, or the domestic administration of chiropractic, nor shall this act apply to any chiropractor from any other state or territory who is actually consulting with a licensed chiropractor in this state; *provided*, that such consulting chiropractor shall not open an office or appoint a place to receive patients within the limits of this state; nor shall this act be construed so as to discriminate against any particular school of chiropractic, or any other treatment; nor to regulate, prohibit or apply to any kind of treatment by prayer; nor to interfere in any way with the practice of religion. Nor shall this act apply to persons who are licensed under other acts.

SEC. 17. It shall be the duty of the several district attorneys of this state to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary of the board, under the direction of the board, to aid attorneys in the enforcement of this act.

SEC. 18. Nothing herein shall be construed as repealing the "medical practice act" of June 2, 1913, or any subsequent amendments thereof, except in so far as that act or said amendments may conflict with the provisions of this act as applied to persons licensed under this act, to which extent any and all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 19. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The electors hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

REVISED AND ADDITIONAL RULES AND METHOD OF PROCEDURE OF THE BOARD OF CHIROPRACTIC EXAMINERS OF THE STATE OF CALIFORNIA

Rule 1

According to statute, the board shall meet as a Board of Examiners on the first Tuesday following the second Monday of January and July of each year. Special meetings may be called by the president, or vice president, by giving five days notice in writing, by mail or telegraph of the time and place thereof. The secretary shall notify the board members in writing of all statutory meetings.

RULES OF ORDER

Rule 2

Roberts' Rules of Order shall govern the deliberations of the board, in so far as they do not conflict with other rules that the board may adopt, or with the laws of the State of California.

APPENDIX

Minutes

Rule 3

The full proceedings of the board, including the regular and special meetings, shall be typewritten and a copy supplied to each member of the board. A court reporter shall be employed for all legal hearings and a copy of all transcripts, legal papers, etc., shall be kept on file in the office of the board in Sacramento.

Change of Name

Rule 4

Any licentiate shall be entitled to an endorsement under the signatures of the president and secretary and the seal of the board, to the effect that the name of the person holding said license has been changed according to law, since the issuance of said license, to the name appearing endorsed. The licentiate shall re-register said license as endorsed with the county clerk or clerks where the original is recorded.

Duplicate Certificate

Rule 5

A duplicate certificate shall be issued to any licentiate who, to the satisfaction of the board, files an affidavit in form approved by the board, showing facts sufficient in reference to the loss of the license. The duplicate license issued will bear the same date of issuance as the original and the words, "Duplicate (date inserted)," shall be printed across the face of the duplicate.

Annual Tax

Rule 6

Section 12 of the Chiropractic Act provides, that every licentiate pay an annual tax of two dollars ($2.00). Said tax is due on or before the first day of January of each year. Delinquency is operative sixty days after January first of any year, after which date the practitioner forfeits his license.

Forfeiture of License

Rule 7

Whenever license is forfeited pursuant to section 12 of Statutes of 1923, page lxxxiii, the secretary, shall without further order of the board, give notice to the proper county clerk or clerks of the fact of said forfeiture.

It shall be the duty of all licentiates to notify the secretary of the board of the county or counties in which his license is recorded.

Reciprocity

Rule 8

Applicants for reciprocity, whose applications are complete, and whose preliminary and professional education meet the *general requirements* of the California Chiropractic Act, and wherein the standard of such states is not in any degree or particular less than were the requirements in the State of California in the same year, and the educational standards required by the rules of this board, shall be granted admission through licensure without examination. Reciprocity, however, is only effective with those states where the board has established a mutual agreement.

Advertisements

Rule 9

Constructive educational publicity is encouraged, but licentiates must refrain from using or causing to be used, advertising matter which contains misstatements, falsehoods, misrepresentations, distorted and fabulous statements relative to cures, or in the wording of such advertisement which may in any way reflect against a fellow licentiate.

Change of Address

Rule 10

It shall be the duty of each licentiate to keep the secretary informed at all times of any change in his mailing address. Investigations will be made by the board of all licentiates who do not furnish legitimate business or residence

addresses. Post office box numbers will be considered as insufficient, excepting in remote districts.

ILLEGAL PRACTICE

Rule 11

Any person who shall practice chiropractic in California from and after the date of the adoption of these rules of procedure and before receiving a license from the board of examiners so to do, shall, upon proof satisfactory to the board thereof, be refused permission to write the examination at any time; and, shall forfeit his or her right for licensure through reciprocity.

LAW VIOLATORS

Rule 12

It shall be the duty of the licentiates to notify the secretary, or any member of the board, of any law violation or any infringement of the act, that correction of this evil be speedily met and dealt with.

Rule 13

Any licentiate failing to conform with subsections (*a*), (*b*) and (*c*) of section 11 of the Chiropractic Act after receiving due notification by the secretary of the board so to do, shall be cited to appear before the board to show cause why his or her license should not be revoked.

Rule 14

In compliance with the inferential meaning of section 4, subsections (*b*) and (*c*) of the Chiropractic Act, it shall be the duty of the board to empower its secretary to employ such assistants as may be expedient and necessary for and in the performance of the work of the board in carrying out legitimately the provisions of the act; the salaries of permanent assistants shall be fixed by the board.

Rule 15

The act provides a penalty for anyone who shall practice chiropractic in this state unless he be duly licensed by the

State Board of Chiropractic Examiners to so do. Hence, the head of any and all chiropractic schools and colleges will be held in strict accountability who shall permit its senior students, when assigned to clinical duty, to participate in the income from such source.

Temporary Permits

Rule 16

The California act does not provide for the granting of temporary permits.

Applications

Rule 17

Applications must be completed on the forms furnished by the board, with the required fee of twenty-five dollars ($25), and photographs of applicants, diplomas, and credentials required, and the same to be filed in the office of the board in Sacramento at least fifteen days before a meeting.

"PRELUDE"

The Board of Chiropractic Examiners, realizing California's imperative need of chiropractors who have received the preliminary educational foundation required by the act, and who have also received the maximum instruction in the chiropractic schools or colleges attended, including in this instruction the recognition, treatment, and prevention of diseases, and that graduates therefrom be thoroughly equipped for their professional duties, and further, that inasmuch as it is required by the act of the applicant, that he shall make "Application upon such form and in such manner as may be *provided by the board*, and shall present to the board at the time of making such application, a diploma from a high school, or proof, *satisfactory to the board*, of education, equivalent in training power to a high school course." Therefore the following rules on "educational requirements" are hereby adopted, and the same shall govern all chiropractic schools or colleges enrolling students, and preparing students for the state board examinations.

Preliminary Educational Requirements

Rule 18

(1) The requirements of the board concerning chiropractic schools or colleges, in accordance with the act regulating their powers and functions, are as follows, to wit: All

chiropractic schools or colleges will be rated on a basis and scale of 100 points, data relative to each school or college will be compiled and grouped under four general heads, in such manner, and based upon such data as is supplied by each school or college, and the groups will have as nearly equal importance as possible, and each group will be allowed a possible twenty-five (25) points.

(2) The admission to a chiropractic school or college shall be based upon the completion of a four (4) year course of at least sixteen (16) units in a standard high school, or other institutions of standard secondary school grade accompanied by a diploma, or the equivalent as demonstrated by examination conducted by the authorized examiner, appointed by the board.

(3) Documentary evidence of the student's preliminary education must be obtained, and a copy of same with a transcript of the entrant's work, including the questions prepared by the examiner, together with the answers of the entrant in his own handwriting, must be kept in the files of the examiner, and correct copies of the above forwarded by the examiner to the school or college in which the student enrolls, for their files as a matter of record, like copies to be forwarded by the examiner to the office of the board in Sacramento for filing. The board shall reserve the right to accept or reject the preliminary evidence submitted, and the said chiropractic school or college shall obtain the approval of said board of examiners through its examiner before enrollment of the student, and the examiner shall be held responsible to the board for such approval.

(4) Credits for admission shall be counted as a part of the chiropractic school or college requirements for the issuance of its diploma.

(5) Advanced standing may be granted to students for work done in other acceptable schools or colleges. Official verification of the student's previous work should be obtained by direct correspondence with the school or college he or she previously attended, and a signed statement by the dean or registrar, bearing the seal of the institution, accompanied by

the information that the applicant for admission has attended specific classes in subjects (therein named), and devoted hours (also therein specified), and furnish specific information relative to the student's standing in the subjects taken, including a statement of the student's decorum in said institution, and his preliminary qualifications should be recorded the same as for freshman entrance, a copy of said stipulated information to be forwarded to the board for its approval.

PROFESSIONAL AND EDUCATIONAL REQUIREMENTS

Rule 19

(1) It is further advised that each chiropractic school or college shall be carefully and intelligently supervised by the dean or other executive officer, who holds, or has, sufficient authority to carry out fair ideals of the schedule of minimum educational requirements in hours and subjects prescribed by the act, and in the teaching of the subjects in conformity to the rules of the board as herein defined.

(2) We advise further that an accurate system of records be kept if not already in operation, showing conveniently and in detail the credentials, attendance, grades and accounts of the student by means of which an exact knowledge can be obtained regarding each student's work.

(3) The college curriculum shall be fully graded and cover three terms of twenty-six (26) weeks each, exclusive of holidays. No credit will be allowed for more than seven (7) hours in any one day or more than thirty-five (35) hours in any one week. The academic hour is established at sixty (60) minutes or the equivalent thereof.

(4) The courses offered should be set forth by, and through, actual laboratory departments, to wit: Anatomical, chemical, bacteriological, pathological and X-ray; these laboratories should be well equipped, providing ample facilities for laboratory instruction, together with a corps of competent full time instructors (whose salaries are not dependent upon the graduation of students), and adequate to the teaching of the subjects required by the act, and also adequate to the accommodation of the students pursuing the said subjects.

The use of standard textbooks covering all subjects is required.

(5) Students should have access to a working library maintained in the school or college building, which includes modern text and reference books for the student's use.

(6) Clinical work should include, beside chiropractic theory and practice, the following: Obstetrics, gynecology, embryology, physical diagnosis or analysis, nervous and mental diseases, hygiene and chiropractic jurisprudence, the latter being based upon the application of the principles of law to the relation between doctor and patient.

(7) There should be sufficient dissecting material to enable each student, individually, during his senior year, to dissect all parts of one lateral half of a human cadaver, that cross sections be provided and other demonstrative material to permit a thorough understanding of human anatomy for each senior student on the cadaver.

(8) Registered instructors only should be selected when available. Students should at no time serve in the capacity of instructors. Institutions whose faculty is inadequate to instruct the student in the subjects required by the act will not be favorably considered.

(9) All chiropractic schools or colleges adhering to the rules and regulations as herein set forth by the board of examiners pertaining to the conductivity of said chiropractic schools or colleges relative to the methods of procedure, in both the *preliminary* requirements and the *professional* training of the student for chiropractic licensure, in their respective institutions, and who shall, after inspection of said institutions by said board, or shall, upon request, furnish the said Board of Chiropractic Examiners substantiated proof that said schools or colleges are conforming to the rules and regulations as adopted, the aforesaid schools or colleges shall receive from the aforesaid board a satisfactory rating, and the students graduating therefrom shall be eligible to write the examination in conformity with the act *which regulates* both the educational qualifications of the applicant, and the powers and functions of said board to enforce same. All students matriculating after January 1, 1930, must make appli-

cation to the board for licensure upon the new form adopted. These rulings effective from and after January 15, 1929, at twelve o'clock noon.

APPLICATION FORMS

The new application form including both the preliminary and professional requirements becomes effective January, 1929, and operative July, 1930.

Rule 20

No licensee of chiropractic in the State of California shall offer or cause to be offered to a student or prospective student of chiropractic, any inducement, either written or verbal, which may impart to said student or prospective student of chiropractic the assurance that he or she shall, during his or her freshman, sophomore or senior years, or within the time that he or she shall be a student in, and/or before graduation from a chiropractic school or college, and/or before receiving a license from the State Board of Chiropractic Examiners, in any manner participate in the income from any adjustments or treatments clinical or otherwise, nor shall any licensee pay any portion of such income to said student.

Rule 21

In the preparation and correction of examination papers each examiner will be allowed compensation on the basis of the per diem schedule.

REFUND OF FEES

There is no provision in the law whereby the Board is authorized or permitted to return any portion of the application fee of twenty-five dollars ($25).

EXAMINATIONS

When seated in examination room, each applicant will receive an identification envelope wherein he will find three printed slips of paper. Said applicant will write his name and address as provided on each of these three slips of paper, specifying thereon where mail may reach him within six

weeks after the date of examination. Applicants will insert all of said slips in the identification envelope, and seal the envelope which will be collected by one of the watchers.

The applicant will remember the number on the envelope, which has been handed in, and will inscribe same on each examination paper, together with (a) subject of examination, (b) place of examination and (c) date of examination.

Disclosure of examination number will disqualify the applicant.

The questions of the first examination will be distributed as soon as the identification envelopes have been collected.

Two hours will be afforded for completion of each subject. During the examination, no applicant will be permitted to have on the table, whereupon he is writing, any paper, or object other than the examination questions, examination paper, a blotter furnished by the Board, pen and ink, an eraser and a watch.

No applicant will be permitted to communicate in any way with any other applicant, nor will he be permitted to question any examiner in reference to or interpretation of the questions under consideration. Applicants must rely solely upon their own judgment as to the meaning of each question, and on their own knowledge of the subject in answering. Any disturbance on the part of the applicant will disqualify said applicant and he will be required to leave the examination room.

Immediately upon completion of correction of the examination papers, each examiner will forward his report to the office of the Board in Sacramento, entering on the form adopted by the Board, the percentage gained by each applicant. Each examiner will enter on said report the subject of examination, sign and date as of date of report.

The corrected examination papers shall at the same time be returned to Sacramento via express, and kept on file for a period of three years.

The secretary shall make the report sheets of examiners a permanent record and the results marked entered thereon

shall be transferred into the examination record book for final compilation of the complete record of each specific examination.

The law requires the affirmative vote of three members of the Board to authorize the issuance of any license.

Revocation and Refusal of Licensure

Any person may in the manner provided by law, file with the Board, a complaint charging any licentiate or applicant for licensure, with having violated the provisions of the Chiropractic Act coming within the jurisdiction of the Board. Said complaint must be verified and shall specify the acts complained of in detail sufficient to advise the person charged, of the acts to be met. The person complaining shall be known as the plaintiff, and the person complained of shall be known as the defendant. Upon the filing of a complaint and an agreement in writing addressed to the Board, with security or deposit of money as may be required by the secretary, to the effect that the plaintff will pay all costs and expense as hereinafter provided for, the secretary shall issue a citation under his signature and the seal of the Board, directed to and requiring the defendant to be and appear at a time and place certain, but not within thirty days of date of service thereof, unless the Secretary of the Board shall by special order direct the time to be shortened, there to stand trial and defend against said complaint. The plaintiff shall cause said citation and complaint to be served upon the defendant by delivering to and leaving with the defendant personally a true copy of each said citation and complaint, in accordance with sections 410 and 411 of the Code of Civil Procedure of the State of California. No answer shall be required of any defendant and all of the allegations of the complaint shall be deemed denied; but the defendant, if licensed, shall before time of trial, deliver his certificate of license to the Secretary of the Board to be by him held to the order of the Board. A competent stenographer shall be employed for all hearings.

Except in cases where complaint is filed pursuant to the order of the Board, all expense of conducting the trial, ex-

cepting the compensation of the members of the Board, including the expenses incurred by the parties, shall be borne by the parties respectively, as the same are incurred, with the provision that the cost and expense of service of citation complaint, and subpenas, hall rent, light, janitor service and the compensation of a stenographic reporter, including the expense of furnishing the Board with an original transcript of testimony taken and copies of exhibits, shall be at the expense of the plaintiff. In all cases not coming within the exception, before proceeding with a hearing, the Board shall require the plaintiff to deposit with the appointed stenographic reporter, sufficient funds to cover the stenographic reporter's charges for his services including the delivery to the Board of said original transcript of testimony and copies of exhibits. All original transcripts of testimony and copies of exhibits shall be certified to by the stenographic reporter and shall be filed with the Board and shall remain on file in the office of the secretary as permanent record. The Board at its discretion may engage an attorney at law to sit with it at hearings for advisory purposes.

The plaintiff and the defendant may be represented in all proceedings by attorneys at law who are licensed to practice as such before all the courts in the State of California.

The order of trial shall be the presentation of the evidence alternatively offered on the part of the plaintiff and then the defendant, until the taking of evidence is closed; whereupon the cause shall be argued orally if the parties so desire, and the cause thereupon stand submitted for decision. Upon submission of the cause, the Board shall go into executive session for consideration and adjudication thereof. Upon adjudication, each party, or their attorneys, shall be notified in writing by mail addressed to the last known places of address, of the Board's judgment.

In the event of proceedings being taken before any court, for the purpose of reversing the effect of any judgment made by the Board, the person in resistance to the person prosecuting said Court proceeding shall satisfactorily to the Board, provide for the discharge of all cost and expense in-

volved in resisting said court proceeding, otherwise the Board will default therein at it. discretion.

Depositions

Testimony of witnesses may be taken in three modes: (1) by affidavit; (2) by deposition; (3) by oral examination.

An affidavit, in addition to the purposes provided for in the Chiropractic Act, may be used to verify a complaint and to prove the service of citation, complaint or subpena.

A deposition is a written declaration, under oath, made upon notice to the adverse party, for the purpose of enabling him to attend and cross-examine. The failure of the adverse party to appear at the taking of a deposition of a witness, after notice, shall be deemed to be a waiver of the right to cross-examine.

An oral examination is an examination in the presence of the Board on notice to the plaintiff and the defendant.

Deposition of witnesses in this state shall be taken before a member of the Board, or an officer having a seal and qualified by law to administer oaths and to take depositions under the laws of this state, who shall for the purpose be appointed by the Secretary of the Board.

Depositions of witnesses out of the state shall be taken before an officer having a seal and qualified to administer oaths and authorized to take depositions in the state where the deposition is taken.

The officer before whom a deposition is to be taken shall be appointed by written order of the Secretary of the Board, made and signed in triplicate under the seal of the Board; one triplicate to remain in the files of the Board, one triplicate to be forwarded to the officer appointed thereby, to be affixed by him to the deposition when taken, and returned therewith to the Board, and one triplicate to be delivered to and served upon the adverse party. Said order shall specify the name and title of the officer appointed and the time and place of the taking of the deposition, and the name and address of the witness who is to be examined.

All depositions shall be returned by the officer before whom the same is taken, directly to the Secretary of the Board, in sealed envelopes by registered mail. Said depositions shall remain sealed until opened by the secretary under the order of the Board at a hearing of the matter in which the deposition is taken.

Whenever a deposition is taken before a member of the Board, the member shall use the seal of the Board as and for his seal.

CONNECTICUT

An Act Establishing a State Board of Healing Arts

Be It Enacted by the Senate and House of Representatives in General Assembly Convened:

Section 1. The governor shall appoint, on or before July 1, 1925, a state board of healing arts consisting of three members, one of whom shall serve for two years, one for four years and one for six years from July 1, 1925. Upon the expiration of the term of any member of said board, the governor shall appoint his successor who shall serve for six years. If any member of the board shall die, resign or become incapacitated, the vacancy thus created shall be filled by appointment by the governor for the unexpired portion of the term. No person shall act as a member of said board who shall have received, from any school, college or department of a university teaching any branch of the healing arts, a degree in any of said healing arts or who shall be a trustee, director, officer or employee of any hospital. The members of the board shall receive no compensation for their services, but their reasonable expenses in the performance of their duties shall be paid by the comptroller.

Sec. 2. For the purposes of this act the practice of the healing arts shall be understood to be the practice of medicine,

osteopathy, chiropractic and natureopathy as defined in chapters 148, 149 and 150 of the general statutes and chapter 245 of the public acts of 1923 and all amendments thereto.

SEC. 3. Any person desiring to take an examination to be admitted to practice any branch of the healing arts who shall submit to said board of healing arts evidence satisfactory to said board that he is a person of good moral character, that he was a graduate of a high school or that he possessed educational qualifications equivalent to those required for graduation by a high school before he began the study of the healing arts and that he has, as shown by written examination by said board, a comprehensive knowledge of anatomy, physiology, hygiene, pathology and diagnosis, upon payment of a fee of five dollars, shall receive from said board a certificate which shall be prerequisite to examination by the Connecticut medical examining board, the Connecticut homeopathic medical examining board, the Connecticut eclectic medical examining board, the state board of osteopathic registration and examination, the state board of chiropractic examiners or the state board of natureopathic examiners.

SEC. 4. Any person whose application for said certificate shall be denied by said board of healing arts may, within thirty days thereafter, appeal to the superior court for Hartford county, and said court shall, upon such appeal, inquire into the cause of such denial and may confirm or revoke such decision or may order said board to grant such appellant a certificate. Notice of such appeal shall be served upon any member of said board by leaving with such member or at his usual place of abode an attested copy thereof within thirty days after said board shall have notified such applicant of its decision.

SEC. 5. No provision of section three or section four hereof shall be construed as repealing any statutory provision with reference to the requirements for admission of applicants to examination by any of the examining boards herein enumerated.

SEC. 6. Said board shall adopt such rules and regulations governing its examinations as it shall deem advisable.

SEC. 7. Said board shall make an annual report to the governor on or before the thirtieth day of June and shall on or before the thirtieth day of June and on or before the thirty-first day of December, in each year, pay to the state treasurer the money received by it as license fees under the provisions of this act.

SEC. 8. Said board shall act as a grievance committee to hear complaints which may be brought before it against any person practicing any of the healing arts. After hearing upon any such complaint, reasonable notice of which hearing shall have been given to the person so complained of, said committee shall present a statement of the charges contained in such complaint to the attorney general, if it shall deem it advisable or shall find probable cause therefor, and the attorney general shall thereupon bring an action based on such charges in the superior court for the county in which such person shall reside, and said court may order the revocation of the license of such person or take such other action as it may deem equitable.

Approved June 23, 1925.

(Connecticut Continued)

AN ACT CONCERNING THE PRACTICE OF THE HEALING ARTS

Be It Enacted by the Senate and House of Representatives in General Assembly Convened:

SECTION 1. Section 2855 of the general statutes as amended by section one of chapter 267 of the public acts of 1925, is amended to read as follows: No person shall receive a certificate of registration under the provisions of section 2854 of the general statutes until he shall have passed an examination before one of the examining committees appointed for such purpose by the governor, except as hereinafter provided, and until he shall have filed with the state department of health duplicate certificates signed by a majority of the examining committee, which certificates shall

include a statement that the person named therein has been examined and found qualified to practice either medicine or surgery, nor until he shall have filed with said department duplicate statements subscribed and sworn to by him, which shall be made upon blanks furnished by said department and shall include the name, age, place of birth and residence, the medical college of which he is a graduate and the date of his graduation, with such other information as shall be required upon such blanks. No person shall be eligible to take such examination until the committee shall find that such person is a resident of this state or intends in good faith to permanently reside in this state and that he has received a diploma from some legally incorporated and reputable medical college as provided in section 2857 of the general statutes, nor until he shall have presented to said committee a certificate of good moral character signed by two reputable citizens of this state, nor until said committee shall find that, before beginning the study of medicine, he was graduated from a college, high school or preparatory school, the standing of which shall have been approved by said committee, or that his education is equivalent thereto, or that it shall have been a condition of entrance to the medical college from which such person shall have received a diploma that students in such college shall have received a high school education or the equivalent thereof. No person shall be eligible for such examination under the provisions of the general statutes until said committee shall find, in addition to the foregoing provisions, that, before beginning the study of medicine, such person shall have completed a course of study of at least nine months' duration, which shall have included chemistry, physics and general biology, provided this provision shall not apply to any applicant who shall have been graduated from a recognized medical college prior to January 1, 1919, nor to any person who was eligible to examination before said date and who shall have failed to pass such examination. Any one of the examining committees appointed under the provisions of section 2856 of the general statutes may accept the license of any state board of medical examiners of any state in the

United States or in the District of Columbia, or the certificate of the national board of medical examiners, in lieu of the examination herein provided for, provided the committee before which such applicant shall appear shall find that such license shall have been issued upon an examination passed by such applicant of as high a grade and of the same kind as that required by said examining committee, that he is a resident of this state or that he intends in good faith to permanently reside herein, that he has been in actual practice for a period of three years, part of which time he may have served as an interne in a hospital approved by the committee, immediately preceding the date of his application and that he is of good moral character and professional standing, and, upon receipt of the sum of fifteen dollars, said committee may issue to such applicant a certificate of approval of such license. Any physician who shall have been graduated from any incorporated and reputable medical college and who began the practice of medicine outside of this state prior to May 25, 1893, who shall appear before any one of the examining committees appointed under the provisions of section 2856 of the general statutes and whom such committee shall find to be a resident of this state or intending in good faith to permanently reside herein, and to have been in actual practice for a period of at least six months in the year immediately preceding the date of his application, and to be of good moral character and professional standing, and to have received the approval of the state board of medical examiners of the state in which he shall have resided next preceding his application to the committee of this state, may, upon the payment of the sum of fifteen dollars, receive a certificate of approval without examination. Any person who shall have passed the examination required under the provisions of the general statutes or shall have obtained a certificate of approval shall, upon filing such certificates and statements with the state department of health, receive from said department, upon the payment of two dollars, a certificate of registration, which certificate shall include a statement that the person named therein is qualified to practice medicine or surgery.

Each of the examining committees provided for under the general statutes shall file with the state department of health, within thirty days after the close of each examination, a list of applicants examined by it since the last preceding examination, and such list shall state the names of such applicants as shall have failed to pass such examination.

SEC. 2. Section 2857 of the general statutes is amended to read as follows: The examining committees provided for by section 2856 of the general statutes shall hold examinations on the second Tuesdays of March, July and November of each year, at such places as they may designate, and at such other times and places as they shall determine. Applicants for certificates to practice medicine or surgery shall be examined in anatomy, physiology, medical chemistry, obstetrics, hygiene, surgery, pathology, diagnosis, therapeutics, practice and materia medica. Each committee shall frame its own questions and conduct its examination in writing, and both questions and answers shall be filed with and preserved for at least six years by the state department of health. Each of said committees shall make such rules and regulations for conducting such examinations under the provisions of chapter 148 of the general statutes as, from time to time, it shall deem necessary. Each applicant for examination under the provisions of said chapter 148 shall be examined by the committee representing the same school of practice in which the applicant was graduated; but before taking such examination he shall pay to the committee the sum of fifteen dollars. An applicant rejected by an examining committee may be re-examined by the committee before whom he appeared, at any subsequent meeting of said committee. Upon the receipt of the duplicate statements as provided in section 2855 of the general statutes as herein amended, the state department of health shall transmit one of said duplicate statements, together with a statement that a certificate of registration has been issued, to the town clerk of the town wherein the person filing such statements resides; and in case such person shall not reside in this state, the state department of health shall hold such statements until notified by such person of the

name of the town in this state in which he intends to reside, when said department shall transmit such statements to the town clerk of such town; and such town clerk shall record the same in a book to be provided for that purpose by the state department of health, and shall then return the same to the person who filed such statements with said department; and such town clerk shall receive for such recording a fee of twenty-five cents, to be paid by the state department of health from the amount paid to it as aforesaid. The secretary of each of said medical societies shall file annually with the commissioner of health a list of medical colleges or institutions recognized as legal and reputable by his society or all of such secretaries may agree upon a single list; and such list or lists may be corrected as may be necessary.

SEC. 3. Section 2869 of the general statutes as amended by section two of chapter 30 of the public acts of 1923 and by section one of chapter 221 of the public acts of 1925 is amended to read as follows: No person shall engage in the practice of chiropractic in this state until such person shall have obtained a certificate of registration and until such certificate shall have been recorded, as herein provided. No person shall receive a certificate of registration until such person shall have passed an examination before the board of chiropractic examiners, except as hereinafter provided, nor until he shall have filed with the state department of health duplicate certificates signed by a majority of said board which certificates shall include a statement that the person named therein has been examined and found qualified to practice chiropractic, nor until he shall have filed with said department duplicate statements subscribed and sworn to by him, which shall be made upon blanks furnished by said department and shall include his name, age, place of birth and residence, the chiropractic college of which he is a graduate and the date of graduation, with such other information as shall be required upon such blanks. Any person desiring to practice chiropractic shall make application to the board of chiropractic examiners, through the secretary-treasurer thereof, upon such form as the board shall adopt, at least fifteen days

prior to any meeting of said board. Applications shall be in writing, signed by the applicant and sworn to before an officer authorized to administer oaths and shall contain a statement of the educational advantages of the applicant, his experience in matters pertaining to a knowledge of the care of the sick, the length of time applied and the school in which he studied chiropractic, any collateral branch of study and the length of time engaged in clinical practice and any diploma, certificate or degree which may have been conferred upon such applicant, with such evidence of good character and reputation as shall be required by said board. Each applicant shall present to said board satisfactory evidence that he is a resident of this state or intends in good faith to permanently reside here, that he graduated from an approved high school or possessed educational qualifications equivalent to those required for graduation from such school before beginning the study of chiropractic and that he is a graduate of a reputable college of chiropractic, which college shall, prior to July 1, 1932, have a course of instruction of three years of six months each, each of which years shall include nine hundred class hours or more of actual attendance, and, after said July 1, 1932, shall have a course of instruction which shall require four college years of thirty-six weeks each. Said board shall issue a certificate of approval to each applicant who shall pass the examination and who shall have met all other requirements of the board. There shall be paid to the secretary-treasurer of said board by each applicant a fee of twenty-five dollars, fifteen dollars to accompany the application and the balance to be paid upon the issuance of such certificate of approval. A fee of ten dollars shall be paid the secretary-treasurer of said board for each re-examination. Said board may grant a certificate of approval without examination to any licentiate of a similar board from any other state, who shall meet the educational and other requirements of this section and who shall furnish a certificate from the board under which a license shall have been held, certifying the applicant to be of good repute and that he or she has practiced under license for at least three years. There shall be

paid to the secretary-treasurer of said board by each such applicant a fee of fifty dollars, twenty-five of which shall accompany the application, and the balance shall be paid upon the issuance of such certificate of approval. Any person who shall have passed the examination before said board or shall have obtained a certificate of approval from said board shall, upon filing such certificates and statements as herein provided with the state department of health, receive from said department, upon the payment of two dollars, a certificate of registration, which certificate shall include a statement that the person named therein is qualified to practice chiropractic. Any person practicing chiropractic in this state under a license granted by the board of chiropractic examiners previous to the passage of this act shall, upon filing such license, together with the duplicate statements provided for herein, with the state department of health, receive from said department, upon the payment of two dollars, a certificate of registration. Upon the receipt of the duplicate statements as herein provided, the state department of health shall transmit one of such duplicate statements, together with a statement that a certificate of registration has been issued, to the town clerk of the town wherein the person so filing such statement resides; and, in case such person does not reside in this state, the state department of health shall hold such statements until notified by such person of the name of the town in this state in which he intends to reside, when said department shall transmit such statements to the town clerk of such town. The town clerk shall record the same in a book to be provided for that purpose by the state department of health and shall then return the same to the person who filed the same with said department. The town clerk shall receive for such recording a fee of twenty-five cents, to be paid by the state department of health out of the amount paid to it as aforesaid. The board of chiropractic examiners shall file with the state department of health, within thirty days after the close of each examination, a list of applicants who have appeared before it since the last preceding examination, and such list shall state the names of such applicants as shall have

failed to pass such examination or to receive a certificate of approval from said board. The secretary of said board shall file annually with the state department of health a list of chiropractic colleges or institutions recognized by said board as legal and reputable.

SEC. 4. Section 2870 of the general statutes as amended by section two of chapter 221 of the public acts of 1925 is amended to read as follows: With the exception of vertebral palpation and adjusting, the examination, provided for in the preceding section, shall be in writing, the subjects of which shall be as follows: Anatomy, physiology, symptomotology, histology, vertebral palpation, principles of chiropractic and adjusting, chemistry, hygiene, pathology, dietetics and diagnosis. Both questions and answers shall be filed with and preserved for a period of six years by the state department of health. Any chiropractor who shall have complied with the provisions of chapter 150 of the general statutes may adjust by hand any articulation of the spinal column, but shall not prescribe for or administer to any person any medicine or drug included in materia medica or perform any surgery or practice obstetrics or osteopathy.

(Sections 5. 6 and 7 apply to natureopathy.)

SEC. 8. Whenever any person registered under the provisions of the general statutes to practice any branch of the healing arts shall remove his residence from the town in which he has been recorded with the town clerk, he shall, within thirty days thereafter, notify the state department of health of the name of the town to which he has removed and shall file the same statements with the town clerk of such town that were originally filed for him by the state department of health. The town clerk shall record such statements in a book provided for such purpose by the state department of health as aforesaid, and shall return such statements to the person who filed the same, and the town clerk shall receive from such person a recording fee of twenty-five cents.

SEC. 9. The governor may remove from office any member of any of the examining boards provided for in chapters 148, 149 and 150 of the general statutes and chapter 245

of the public acts of 1923 upon proof of the inability or misconduct of any such member and, upon such removal, may appoint a successor.

SEC. 10. Section one of chapter 120 of the public acts of 1919 is amended to read as follows: Every person licensed under the provisions of the general statutes, or who may receive such license to practice medicine, surgery, midwifery, chiropractic, naturopathy, chiropody or nursing or any person licensed to use any means or agency to treat, prescribe for, heal or otherwise alleviate human ills, deformity, ailment or disease, shall, annually, during the month of January, register with the state department of health, upon payment of a fee of two dollars, on blanks to be furnished by said department for such purpose, giving his name in full, his residence and business address, and such other information as said department shall request. No provision of this section shall be construed to include any person practicing dentistry, osteopathy, optometry or Christian science. On or before the first day of March in each year, the state department of health shall cause to be printed and mailed to each person who shall have registered in accordance with the provisions of this act a list of the names of all such registered persons, and there shall be printed at the beginning of such list the following: "Each person receiving this list is requested to report to the state department of health the name and address of any person known to be practicing any branch of the healing arts, or any subdivision thereof, in this state whose name fails to appear in this registry. The names of persons giving such information will not be divulged."

SEC. 11. Section 6507 of the general statutes is amended to read as follows: No person engaged in the practice of any branch of the art of healing the sick or injured or professing to be engaged in such practice shall make use of the title "doctor" or any abbreviation thereof without further specification or qualification descriptive of the school or kind of practice engaged in by such person, or advertise himself as possessor of such title, unless he shall have received a degree of doctor of medicine, doctor of osteopathy or doctor of

dental surgery from a reputable university or college authorized by law to confer such a degree; and no person who has not been legally licensed or registered to practice any branch of the healing arts in this state shall use or advertise or permit to be used or advertised in connection with his name or any trade name in the conduct of any occupation or profession involving or pertaining to public health the title "doctor" or any abbreviation thereof or any designation tending to designate him as a person capable of the diagnosis, treatment, prevention or cure of any human disease, pain, injury, deformity or physical condition, actual or imaginary; provided any dentist who shall have received a degree of doctor of dental surgery from a reputable university or college authorized by law to confer such degree and who is licensed to practice dentistry in this state, shall not be prevented from designating himself as the possessor of such degree or title. No provision of this section shall apply to any person admitted to practice under the provisions of the medical registration act of 1893. Any person violating any provision of this section shall be fined not more than one hundred dollars or imprisoned not more than sixty days or both.

SEC. 12. The license or registration of any licensed or registered practitioner of the healing arts in this state may be revoked, suspended or annulled, or such practitioner may be reprimanded or otherwise disciplined, in accordance with the provisions of this act, upon decision, after notice and hearing, by the examining board representing the branch of the healing arts practiced by such practitioner, for any of the following reasons: (a) Conviction in a court of competent jurisdiction, either within or without this state, of any crime involving moral turpitude or of any crime in the practice of his profession or of a felony or of a misdemeanor; (b) immoral, fraudulent, dishonorable or unprofessional conduct; (c) illegal or incompetent or habitually negligent conduct in the practice of his profession; (d) habitual intemperance in the use of spirituous stimulants or addiction to the use of morphine, cocaine or other drugs having similar effect; (e) advertising which may be considered by such examining board to

be deceptive, misleading, extravagant, improbable or unethical; (f) aiding or abetting the practice of any of the healing arts by an unlicensed person or a person whose license has been suspended or revoked; (g) failure to record his license or certificate of registration as required by law; or (h) insanity of such practitioner. The clerk of any court in this state in which a person practicing any of the healing arts shall have been convicted of any crime or misdemeanor shall, upon such conviction, make written report, in duplicate, to the state department of health of the name and residence of such person, the crime of which such person has been convicted, the date of conviction and the branch of the healing arts practiced by such person; and said department shall forward one of such duplicate reports to the examining board representing the branch of the healing arts practiced by such person.

SEC. 13. The examining board representing the branch of the healing arts practiced by any licensed or registered practitioner of the healing arts in this state shall have jurisdiction to hear charges against such practitioner. Any practitioner against whom charges shall be brought shall be furnished by said board with a statement of the charges in writing, together with a notice of the time and place of hearing thereon, at least ten days prior to the date fixed by said board for such hearing. If it shall be impossible to make personal service or service upon counsel, the secretary of said board shall cause to be published three times, at least thirty days prior to the hearing, a notice of the hearing in a newspaper published in the county in this state in which such practitioner was last known to reside, and a copy of such notice shall also be mailed to the accused at his last-known address. Such practitioner shall have a right to a hearing before said board in person or by attorney and may produce witnesses and evidence in his behalf and examine witnesses and have subpoenas issued by said board, and said board may issue subpoenas and may examine witnesses concerning the guilt or innocence of such practitioner. The attorney general shall furnish legal advice and assistance to said board whenever

such service shall have been requested. If, by unanimous vote of said board, the practitioner shall be found guilty of such charges or any of them, said board may, in its discretion, by written notice, reprimand or otherwise discipline such practitioner, or may, by written request of all the members of said board, recommend to the state department of health that the license or certificate of registration of such practitioner be revoked or be suspended for a period of time to be stated in such request. If the practitioner shall be found not guilty, said board shall order a dismissal of the charges. Upon receipt of any request for revocation or suspension as herein provided, the state department of health shall issue an order revoking the license or certificate of registration of such practitioner in accordance with such request, and shall transmit one copy of such order of revocation or suspension to such practitioner at his last-known address and one copy of such order to the town clerk of the town wherein the practitioner has last resided; and said town clerk shall record such order in the book provided by the state department of health for the recording of certificates of registration under the provisions of the general statutes and shall make a memorandum on the page where such practitioner's license or certificate of registration has been recorded, stating the book and page where such order of revocation or suspension has been recorded.

SEC. 14. Any person who shall consider himself aggrieved by the finding of such board may, within thirty days after written notice thereof from said board or from said department, appeal therefrom to the superior court to be held within the county where he resides, which court may grant such relief as to equity may appertain. Such appeal shall not act as a supersedeas of such finding or order unless so ordered either by said board or by the superior court or by a judge thereof. The attorney general shall act as attorney in the public interest in defending against such appeal.

SEC. 15. If the judgment against any practitioner convicted in a court as specified in paragraph (a) of section twelve of this act shall be subsequently reversed by a court

of competent jurisdiction, the board which recommended revocation or suspension of the license or registration of such person shall, upon receipt of a certified copy of the judgment or order of reversal, restore to such person the right to practice, and the state department of health, upon written notice, from said board that such right to practice has been restored, shall annul or vacate any order which revoked the license or registration of such practitioner because of such conviction; and the state department of health shall send notice of the fact of such order of reversal and restoration of the right to practice to the town clerk with whom such revocation or suspension has been recorded.

SEC. 16. No provision of this act shall be construed as repealing any part of section eight of chapter 161 of the public acts of 1925.

SEC. 17. No person shall (a) buy, sell or fraudulently obtain or furnish any diploma, certificate, license, record or registration purporting to show that any person is qualified or authorized to practice any branch of the healing arts, or any subdivision thereof, or any occupation or profession, such as dentistry or nursing, that relates to public health, or participate in any such act; or (b) practice or attempt or offer or advertise to practice any branch of the healing arts, or any subdivision thereof, or any other occupation or profession relating to public health, under cover of any diploma, certificate, license, record or registration illegally or fraudulently obtained or signed, or issued unlawfully or under fraudulent representation or mistake of fact in a material regard; or (c) practice or attempt or offer or advertise to practice any branch of the healing arts or any subdivision thereof or any occupation or profession relating to public health under a name other than his own or under a false or assumed name; or (d) use advertising relating to the public health which is untrue, fraudulent, misleading or deceptive; or (e) give or attempt to give training in any branch of the healing arts or any subdivision thereof, or aid or participate in the same, without first having received permission to do so from the general assembly; or (f) aid or abet practice in any branch of

the healing arts or any subdivision thereof by a person not lawfully licensed or registered or authorized to so practice within this state, or by a person whose license or registration or authorization to so practice shall then be suspended or revoked; and no person shall, during the time his license, registration or authorization to practice any branch of the healing arts or any subdivision thereof shall be suspended or revoked, practice or attempt or offer or advertise to practice such branch or subdivision, or be employed by, work for or assist, in any way, any person licensed or registered to practice any branch of the healing arts or any subdivision thereof in this state. No provision of this section shall be construed to prevent any student in, or graduate from, any legal and reputable professional school, from taking supplementary training with any regularly licensed and reputable practitioner, or from serving as interne in a hosiptal. Any person who shall violate any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than one year or both for each separate violation and, for a second offense shall be both so fined and imprisoned.

Approved June 16, 1927.

OHIO

Code of Ohio, Part I, Title III, Division II, Chapter 20

State Medical Board, Appointment and Term of Members

Sec. 1262. The governor, with the advice and consent of the senate, shall appoint a state medical board consisting of seven members, who shall be physicians in good standing in their profession. One member shall be appointed each year and shall serve for a term of seven years. Schools of practice shall be given representation on the board as nearly as possible in proportion to their numerical strength in the state, but no school shall have a majority of the board.

ORGANIZATION

SEC. 1263. The state medical board shall organize by the election of a president and a treasurer who shall be members of the board, and a secretary, who shall be a physician in good standing in his profession. Each of the officers so elected shall serve for a term of one year, and the president and the secretary may administer oaths.

COMPENSATION OF MEMBERS

SEC. 1264. Each member of the state medical board shall receive ten dollars for each day employed in the discharge of his official duties and his necessary expenses so incurred.

SALARY OF SECRETARY

SEC. 1265. The secretary of the state medical board shall receive an annual salary, to be fixed by the board, and his necessary expenses incurred in the performance of his official duties.

BOND OF TREASURER, WHERE FILED

SEC. 1266. The treasurer of the state medical board shall give a bond to the state in the sum of ten thousand dollars with two or more sureties approved by the board conditioned, for the faithful discharge of the duties of his office. Such bond, with the approval of the board and the oath of office indorsed thereon, shall be deposited with the secretary of state and kept in his office.

MEETINGS OF BOARD

SEC. 1267. The state medical board shall meet in Columbus on the first Tuesday of January, April, July, and October of each year, and at such other times and places as the board may direct. Five members of the board shall constitute a quorum. The board shall have a seal and shall prescribe rules for its government.

RECORDS OF BOARD

SEC. 1268. The state medical board shall keep a record of its proceedings. It shall also keep a register of applicants

for certificates, showing the name of the applicant, the name and location of the institution granting him the degree of doctor of medicine or surgery, and whether he was granted or refused a certificate. The books and records of the board shall be prima facie evidence of matters therein contained.

APPLICATION FOR EXAMINATION

SEC. 1269. Each person who desires to practice medicine or surgery shall file with the secretary of the state medical board a written application, under oath, on a form prescribed by the board, and furnish satisfactory proof that he is more than twenty-one years of age and of good moral character.

REQUISITES FOR ADMISSION TO EXAMINATION

SEC. 1270. The state medical board shall appoint an entrance examiner who shall not be directly or indirectly connected with a medical college and who shall determine the sufficiency of the preliminary education of applicants for admission to the examination. The following preliminary education credentials shall be sufficient:

A diploma from a reputable college granting the degree of A.B., B.S., or equivalent degree.

A diploma from a legally constituted normal school, high school or seminary, issued after four years of study.

A teachers' permanent or life certificate.

A student's certificate of examination for admission to the freshman class of a reputable literary or scientific college.

In the absence of the foregoing qualifications, the entrance examiner may examine the applicant in such branches as are required for graduation from a first-class high school of this state, and to pass such examination shall be sufficient qualification. If the entrance examiner finds that the preliminary education of the applicant is sufficient, he shall, upon payment to the treasurer of the state medical board a fee of three dollars, issue a certificate thereof, which shall be attested by the secretary of the state medical board.

The applicant must also produce a certificate issued by the entrance examiner and a diploma from a legally chartered medical institution in the United States, in good standing, as defined by the board, at the time the diploma was issued, and which institution, subsequent to May 1st, 1913, requires for admission for the degree of M.D., to such institution, a preliminary education equal to that required for graduation from a first-grade high school in this state, or a diploma or license approved by the board which conferred the full right to practice all branches of medicine or surgery in a foreign country.

When Applicant Holding Other Certificates Admitted to Examination

Sec. 1270-1. If an applicant for admission to the examination for certificate to practice medicine and surgery is the holder of a certificate granted under provisions of section 1288 of the General Code, and has by authority of such certificate been in continuous practice of this state for a period of not less than five years prior to January 1st, 1917, and presents a certificate authorizing him to practice medicine and surgery in any other state or territory of the United States, which certificate was issued prior to January 1st, 1917, and after examination by the proper board of such state or territory, the board shall admit such applicant to the examination for certificate to practice medicine and surgery.

Applicant Shall Present Diploma or License

Sec. 1271. At the time of his application the applicant shall present such diploma or license, with his affidavit that he is the person named therein and is the lawful possessor thereof, stating his age, residence, the college or colleges at which he obtained his medical education, the time spent in each, the time spent in the study of medicine, and such other facts as the state medical board requires. If engaged in the practice of medicine or surgery, the affidavit shall state the period during which and the place where he has been so engaged.

Admission to Examination

Sec. 1272. If the state medical board finds that the applicant has obtained any one of the credentials necessary for admission to the examination, that his diploma is genuine and granted by a legally chartered medical institution in the United States in good standing as determined by the board, or that his license is genuine and confers upon him the full right to practice all branches of medicine or surgery in the foreign country in which he obtained it and of a standard approved by the board, that the person named in the diploma or license is the person holding and presenting it and is of good moral character, the board shall admit such applicant to examination.

Examinations for Certificates to Practice Medicine or Surgery

Sec. 1273. The examinations of applicants for certificates to practice medicine or surgery shall be conducted under rules prescribed by the state medical board. Each applicant shall be examined in anatomy, physiology, pathology, chemistry, materia medica and therapeutics, the principles and practice of medicine, diagnosis, surgery, obstetrics and such other subjects at the board requires. The applicant shall be examined in materia medica and therapeutics and principles and practice of medicine of the school of medicine in which he desires to practice, by the number of members of the board representing such school.

Certificate

Sec. 1274. If the applicant passes such examination, and has paid the fee required by law, the state medical board shall issue its certificate to that effect, signed by its president and secretary, and attested by its seal. Such certificate when deposited with the probate judge as required by law, shall be conclusive evidence that the person to whom it is issued is entitled to practice medicine or surgery in this state. An affirmative vote of not less than five members of the board is required for the issuance of a certificate.

APPENDIX

Examination and Registration of Practitioners of Limited Branches of Medicine or Surgery Required

Sec. 1274-1. The state medical board shall also examine and register persons desiring to practice any limited branch or branches of medicine or surgery, and shall establish rules and regulations governing such limited practice. Such limited branches of medicine or surgery shall include chiropractic, naprapathy, spondylotherapy, mechanotherapy, neuropathy, electro-therapy, hydro-therapy, suggestive-therapy, psycho-therapy, magnetic healing, chiropody, Swedish movements, massage, and such other branches of medicine or surgery as the same are defined in section 1286 of the General Code* that may now or hereafter exist, except midwifery and osteopathy.

Application, Examination, Fee, License

Sec. 1274-2. For the purpose of establishing the practice of such limited branches the state medical board shall call to its aid the designated persons as provided in section 1274-3 of the General Code, and such designated persons shall examine any person who has practiced any such branch in Ohio for a period of at least one year prior to June 1st, 1915, and who makes application prior to October 1st, 1915, on a form prescribed by the board in those subjects only which are appropriate to the limited branch of medicine or surgery, for a certificate to practice which his application is made. No such applicant shall be required to comply with the preliminary educational qualifications provided for in section 1274-5 of the General Code.

The examinations of all applicants shall be conducted under rules prescribed by the board and at such times and places as the board may determine. Such examination shall be given in anatomy, physiology, chemistry, bacteriology, pathology, hygiene, diagnosis, and in such other subjects appropriate to the limited branches of medicine or surgery, certificate to practice which is applied for, as the board may require; provided, however, that applicants for certificates to

*See page 349.

practice massage or Swedish movements shall not be examined in pathology and diagnosis.

BOARD MAY CALL AID IN MAKING EXAMINATIONS; COMPENSATION

SEC. 1274-3. For the purpose of conducting such examinations the state medical board shall call to its aid any person or persons of established reputation and known ability in the particular limited branch in which the examination is being held, and in the event that there is in existence a state association or society of practitioners of any such limited branch of medicine or surgery, such association or society, except a state association or society of chiropodists, shall recommend the person or persons to be designated for this service by the board. Any person called by the state medical board to its aid, as provided in this section, shall receive for his services not more than ten dollars per day and his actual and necessary expenses to be fixed and allowed by the state medical board.

Certificate to Practice

If the applicant passes such examination and has paid the fee of twenty-five dollars as required by law, the state medical board shall issue its certificate to that effect. Such certificate shall authorize the holder thereof to practice such limited branch or branches of medicine or surgery as may be specified therein, but shall not permit him to practice any other branch or branches of medicine or surgery nor shall it permit him to treat infectious, contagious or venereal diseases, nor to prescribe or administer drugs, or to perform major surgery.

WHEN BOARD MAY DISPENSE WITH EXAMINATION

SEC. 1274-4. The state medical board may dispense with the examination of applicants for such limited certificates upon the same reciprocal terms and conditions with respect to such limited branches as are provided in Section 1282 of the General Code with respect to physicians and surgeons generally.

BOARD SHALL DETERMINE STANDING OF SCHOOL GIVING INSTRUCTION

SEC. 1274-5. The state medical board shall determine the standing of the schools, colleges, institutions or individuals giving instruction in such limited branches. If there shall at any time be such schools, colleges, institutions or individuals giving instruction in such limited branches, the applicant for such certificate shall, as a condition of admission to the examination, produce a diploma or certificate from such a school, college, institution, or individual in good standing as determined by the board, showing the completion of the required courses of instruction.

Preliminary Education of Applicant

The entrance examiner of the state medical board shall determine the sufficiency of the preliminary education of applicants for such limited certificate as is provided in Section 1270 of the General Code; provided, however, that the state medical board may adopt rules defining and establishing for any limited branch of medicine or surgery such preliminary educational requirements, less exacting than those prescribed by said section, as the nature of the case may require.

POWERS AND DUTIES OF BOARD

SEC. 1274-6. The provisions of Sections 1268, 1269, and 1274 to 1281, both inclusive, of the General Code, shall in all respects, in so far as the same may be applicable, govern the state medical board, all of the officers mentioned therein, and the applicants for and recipients of such limited certificates; provided, however, that in addition to the power of the board to revoke and suspend certificates provided for in Section 1275 of the General Code it may also revoke or suspend the certificate of any one to whom a limited certificate has been issued upon proof of violation of the rules or regulations established by the board governing such limited practice.

LIMITATIONS PRESCRIBED

SEC. 1274-7. Nothing in section 1274-1 to 1274-6, both inclusive, of the General Code, shall be so construed as in any way amending sections 1286, 1287 and 12694 of the

General Code or as in any way limiting the application of said sections or any other provision of the laws of the state to practitioners of such limited branches of medicine or surgery save as hereinbefore specifically provided.

GROUNDS FOR REFUSAL TO GRANT AND REVOCATION OF CERTIFICATE; "GROSSLY UNPROFESSIONAL OR DISHONEST CONDUCT" DEFINED

SEC. 1275. The state medical board may refuse to grant a certificate to a person guilty of fraud in passing the examination, or at any time guilty of felony or gross immorality, grossly unprofessional or dishonest conduct or addicted to the liquor or drug habit to such a degree as to render him unfit to practice medicine or surgery. The words "grossly unprofessional or dishonest conduct" as used in this section are hereby declared to mean:

First: The employing of any capper, solicitor or drummer for the purpose of securing patients, or subsidizing any hotel or boarding house with like purpose, or the obtaining of any fee on the assurance that an incurable disease can be cured.

Second: The willful betrayal of a professional secret. But a physician, knowing that one of the parties to a contemplated marriage has a venereal disease, and so informing the other party to such contemplated marriage, or the parent, brother, or guardian of such other party, shall not be held to answer for betrayal of a professional secret nor shall such physician be liable in damages for truthfully giving such information to such other party, or the parent, brother, or guardian of such other party.

Third: All advertising of medical practice in which extravagantly worded statements intended, or having a tendency to deceive and defraud the public are made, or where specific mention is made in such advertisements of tuberculosis, consumption, cancer, Bright's disease, kidney disease, diabetes, or of venereal diseases or diseases of the genito-urinary organs.

Fourth: Having professional connection with, or lending one's name to an illegal practitioner of medicine.

Fifth: Any division of fees or charges, or any agreement or arrangement to share fees or charges made by any physician or surgeon with any other physician or surgeon, or with any other person.

Revocation of Certificate

Upon notice and hearing, the board, by a vote of not less than five members, may revoke or suspend a certificate for like cause or causes.

POWERS OF THE BOARD IN THE PRODUCTION OF EVIDENCE

SEC. 1275-1. The state medical board or the accused shall have the power to require the attendance of such witnesses and the production of such books, records and papers as either may desire at any hearing of any matter which the board has authority to investigate, and for that purpose either may require the secretary of the board to issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records or papers, directed to the sheriff of the county where such witness resides or is found, which shall be served and returned in the same manner as a subpoena in a criminal case is served and returned. The fees and mileage of the sheriff and witnesses shall be the same as that allowed in the common pleas court in criminal cases. Fees and mileage shall be paid from the fund in the state treasury for the use of the board in the same manner as other expenses of the said board are paid.

Depositions Within or Without the State. Depositions of witnesses residing within or without the state may be taken by the board or the accused in the same manner prescribed by law for like depositions in civil action in the common pleas court. In any case of disobedience thereto or neglect of any subpoena served on any person or the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated, it shall be the duty of the common pleas court of any county where such disobedience, neglect or refusal occurs, or any judge thereof, on application by the secretary

of the state medical board to compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

HEARING MAY BE HELD BY ANY MEMBER

SEC. 1275-2. Any investigation, inquiry or hearing, which the state medical board is empowered by law to hold or undertake may be held or undertaken by or before any member or members of the state medical board, and the finding or order of such member or members of said board shall be deemed to be the order of said board when approved and confirmed by it.

APPEAL FROM ACTION OF BOARD TO COMMON PLEAS COURT

SEC. 1276. An appeal may be taken from the action of the state medical board refusing to grant or suspending or revoking a certificate or license for the causes named in the preceding section to the Common Pleas Court of Franklin county or to the Common Pleas Court of the county in which the person who has been refused a license or whose license has been suspended or revoked resides. The judgment of the Common Pleas Court may be reviewed upon proceedings in error in the Court of Appeals.

FEE FOR EXAMINATION

SEC. 1277. Each applicant for a certificate to practice medicine or surgery in this state shall pay a fee of twenty-five dollars for an examination. On failure to pass such examination the fee shall not be returned to the applicant, but within a year after such failure he may present himself and be again examined without the payment of an additional fee. All fees for examination shall be paid in advance to the treasurer of the board and by him paid into the state treasury to the credit of a fund for the use of the state medical board.

RECORD OF CERTIFICATES

SEC. 1278. Each person who receives a certificate to practice medicine or surgery, before beginning practice, must

deposit his certificate with the probate judge of the county in which he resides. The probate judge shall record it in a book kept for that purpose and indorse on the margin of the record and on the certificate the time when he received it for record, and make an index to all certificates by him recorded. The probate judge shall also note the revocation of a certificate, or the death or change of location of the owner of a certificate in the margin of the record. If the owner of a certificate changes his place of residence, he must have such certificate recorded by the probate judge of the county into which he moves.

CERTIFIED COPIES OF CERTIFICATE

SEC. 1279. Upon application the probate judge shall make a certified copy of a certificate and the indorsements thereon, which certified copy shall be prima facie evidence of the matters and facts therein contained.

FEES OF PROBATE JUDGE

SEC. 1280. For services under the provisions of this chapter, the probate judge shall receive from the holder of a certificate the following fees: For recording and indexing each certificate, fifty cents; for certified copies, the same fees as are allowed by law for copies of records kept by him.

ANNUAL LIST OF CERTIFICATES

SEC. 1281. During the month of December in each year, the probate judge shall furnish the secretary of the state medical board a list of certificates recorded and in force, of certificates revoked, and of certificates whose owners have removed from the county or died during the preceding year.

WHAT CONSTITUTES PRACTICE OF MEDICINE, SURGERY OR MIDWIFERY

SEC. 1286. A person shall be regarded as practicing medicine, surgery or midwifery, within the meaning of this chapter who uses the words or letters, "Dr.," "Doctor," "Professor," "M.D.," "M.B.," or any other title in connection with his name which in any way represents him as engaged

in the practice of medicine, surgery or midwifery, in any of its branches, or who examines or diagnoses for a fee or compensation of any kind, or prescribes, advises, recommends, administers or dispenses for a fee or compensation of any kind, direct or indirect, a drug or medicine, appliance, application, operation or treatment of whatever nature for the cure or relief of a wound, fracture or bodily injury, infirmity or disease. The use of any such words, letters or titles in such connection or under such circumstances as to induce the belief that the person who uses them is engaged in the practice of medicine, surgery or midwifery, shall be prima facie evidence of the intent of such person to represent himself as engaged in the practice of medicine, surgery or midwifery.

VIRGINIA

Act Regulating the Practice of Medicine

Board of Medical Examiners; How Constituted; Term of Office

Sec. 1608. The board known as the Board of Medical Examiners for the State of Virginia is continued and shall consist of one regular physician from each congressional district, and one homeopath and one osteopath from the State at large. The term of office of the members of said board shall be four years, or until their successors are appointed and qualify, and they shall be men learned in medicine and duly licensed, active practitioners in this State.

How and When Appointed

Sec. 1609. The members of the board in office when this Code takes effect shall continue in office until their respective terms expire, to-wit: April first, nineteen hundred and twenty-two, and their successors shall be appointed by the Governor on or before the said date, and every fourth year thereafter, from a list of names to be recommended by

the Medical Society of Virginia, except the homeopath and osteopath, who shall be nominated to him by their respective State medical societies. Vacancies occurring on said board for unexpired terms shall be filled in the same manner, and shall be to fill the unexpired term only. Such recommendations shall be by the votes of a majority present at a meeting of the said societies, and the same shall be certified to the Governor by the president and secretary of such society. If the Governor shall consider any of the persons so recommended unsuitable, he may decline to appoint such person or persons, and communicate the facts to the president of the society presenting the nomination, and such society shall, within ninety days thereafter, make other recommendations in the same manner as hereinbefore provided, which shall stand on the same footing in all respects as those first made. If such society shall fail to make such recommendation prior to the time of appointment, or within the ninety days, the Governor shall appoint such board, either in whole or in part, without regard to such recommendations. If any member of the board shall cease to reside in the district from which he was appointed, his office shall be deemed vacant. The governor may summarily remove any member of the board for misconduct, incapacity or neglect of duty, and he shall be the sole judge of the sufficiency of the cause for removal.

OATHS, POWERS, MEETINGS; RULES AND REGULATIONS

SEC. 1610. The members of said board shall qualify by taking the usual oath of office before the circuit court of the county or corporation court of the city in which they respectively reside, or before the judge thereof in vacation. The officers of said board shall be a president, vice-president and a secretary (who shall also act as treasurer), who shall be members of and selected by the said board. Regular meetings of the board shall be held at such times and places as the board shall prescribe, and special meetings may be held upon the call of the president and any five members, but there shall not be less than one regular meeting each year. Five members of the board shall constitute a quorum. The

board may prescribe rules and regulations and by-laws for its own proceedings and government and for the examination by its members of candidates for the practice of medicine, including the scope of the said examination. Due notice of such meeting shall be given by publication in such papers as may be selected by the board. The board, or any committee thereof, may employ counsel, shall have the power to compel attendance of witnesses and administer oaths, and may take testimony and proofs concerning all matters within its jurisdiction. No by-law or rule by which the vote of a majority of the board is required for any specified action shall be suspended or repealed by a smaller vote than that required for action thereunder.

PRESERVATION OF RECORDS

SEC. 1611. The board shall preserve a record of its proceedings in a book kept for that purpose, which shall show the name, age, place and duration of residence therein of each applicant for a license, the time spent in medical study in respective medical schools, and the year and school from which degrees were granted; said record shall also show whether applicants were granted a certificate or rejected, and shall be prima facie evidence of all matters contained therein. The secretary of the board shall, on the first day of March of each year, transmit a copy of said record, together with a photograph of each licensee, to the Superintendent of Public Instruction for permanent record, and certified copies of the said records, under the hand and seal of the secretary of the board or of the said superintendent, shall be admissible as evidence in all of the courts of this State.

REGISTRATION OF CERTIFICATES; DUTIES OF CLERKS

SEC. 1612. Every certificate to practice medicine, homeopathy, osteopathy, chiropractic and chiropody granted under the provisions of this chapter shall, before the licensee begins to practice, thereunder, be presented by him to the clerk of the circuit court of the county or the corporation court of the city wherein such practice is to be carried on.

The clerk of each said courts shall keep a book for the purpose, entitled the "medical register," and set apart one full page therein for the registration of each licensee, and he shall record therein the name, residence, place and date of birth and source, number and date of the license to practice, and the school of practice to which each licensee professes to belong, and each licensee shall subscribe and verify under oath the matters above mentioned when the same have been so recorded, which, if wilfully false, shall subject the person so making oath to conviction and punishment for false swearing as provided by law. The fact of such oath and record shall be endorsed by the said clerk upon each certificate presented, and the clerk shall receive the sum of one dollar from each licensee so registered, which shall be his full compensation for all duties required under this chapter. The holder of a certificate to practice medicine, homeopathy, osteopathy, chiropractic and chiropody shall have the same recorded upon each change of residence to another county or city, and the absence of such record shall be prima facie evidence of the want of possession of such certificate. In such counties and cities as may require a yearly license issued by the commissioner or other officer, it shall be the duty of said commissioner or other officer, to require the licensee to furnish a certified statement that he or she has registered his or her certificate in accordance with section sixteen hundred and twelve, and in the absence of such statement it shall be unlawful for said commissioner or officer to issue a license. When any licensee shall die or remove from the county or city, or have his certificate revoked, it shall be the duty of said clerk to make a note of the facts at the bottom of the page of the said licensee as closing his record. On the first day of January in each year said clerk shall, on the request of the board, certify to the secretary thereof a correct list of the licensees then registered in the county or city, together with such other information as said board may require. Any clerk, commissioner or other officer, upon conviction of knowingly violating any provision of this chapter shall be fined not more than fifty dollars for each offense. A copy of the "medical regis-

ter" pertaining to any person certified to by a clerk, under seal of court; also a certificate issued by said clerk, certifying that any person named has or has not registered in his office, as required by this chapter, shall be admitted as evidence in all courts of this State.

VERIFICATION LICENSE; RECIPROCITY; DUPLICATE CERTIFICATES

SEC. 1613. Legal practitioners of medicine, homeopathy, osteopathy, and chiropractic practicing under the provisions of previous laws who have not already received a license from the State medical examining board of this State, shall present to the board, documents sufficient to establish the existence and validity of a diploma granted to each by some bona fide college of medicine, homeopathy, osteopathy and chiropractic, or to establish their exemption existing under any law, and shall receive from the said board a verification license, which, shall be recorded in the clerk's office of the circuit court of the county or corporation court of the city in which the licensee resides, and duly endorsed by said clerk. Such verification license shall be issued for a fee of fifty cents to all practitioners so qualifying who have not already received a license from a board of medical examiners of this State. It is especially provided that those claims to State license rest upon having practiced in the State previous to the year eighteen hundred and eighty-five, shall present to the board satisfactory evidence of having legally practiced medicine in this State before that year, or if an osteopath, before the year nineteen hundred and three, or if a chiropractor, before the year nineteen hundred and thirteen. The board may, at its discretion, arrange for reciprocity with the authorities of other States, territories and countries having requirements equal to those established by this chapter, and may, at its discretion, issue such certificate to applicants upon endorsements of boards of States with which reciprocal relations have not been established, provided credentials of applicant are satisfactory, and provided further that his or her school of graduation and his or her grades be deemed fully

equal to those required by the Virginia board. The board of medical examiners may accept in lieu of its own examination the certificate of the national board of medical examiners, the fee for which shall be the same as that required for reciprocity. Certificates may be granted applicants to practice under such reciprocity on payment of a fee of fifty dollars to the secretary of the board. The president may, upon recommendation of the reciprocity committee and with the consent of the executive committee, issue certificates to such applicants as are entitled to reciprocity under this chapter at any time, whether the board is in session or not. Legal practitioners who have lost their State board certificates shall obtain duplicate certificates by furnishing to the secretary of the board satisfactory proofs of the issuance to the individual of the former certificates, and upon payment of a fee of one dollar, and the new certificates when issued shall be registered as hereinbefore provided for original licenses.

VIOLATIONS; TRIAL; POWERS OF BOARD REFUSING EXAMINATION

SEC. 1614. The State board of medical examiners, or any member, thereof, shall have the power at any time to inquire into the identity of any person claiming to be a licensed or registered practitioner, and after due service upon such person of a notice in writing, require him to make reasonable proof, satisfactory to the board, that he is the identical person licensed to practice medicine, homeopathy, osteopathy, chiropractic and chiropody, under the license by virtue of which he claims the right to practice. If, after such inquiry, it is found that the person is practicing wrongfully, or if after due investigation by the above named authorities, or any one of them, any person whosoever is found violating any of the provisions of this chapter, it shall be the duty of such investigator to transmit to the Commonwealth's attorney of the county or city wherein such person resides, or is or has been practicing or attempting to practice, all the evidence in his possession tending to establish such violation of this chapter; and it shall be the duty of the said

Commonwealth's attorney to immediately prosecute such person for violation of this chapter, if, in his opinion, the evidence so presented is sufficient to convict, and upon trial the burden of proof shall be upon the defendant to prove his right to practice. The circuit court of the county wherein the offense is committed shall have original jurisdiction concurrent with the justices of said county in the trial of such person for such offense, and the corporation courts of the several cities of this Commonwealth shall have original jurisdiction concurrent with the police justices of such cities. The State medical examining board may refuse to admit to examination or reciprocity, or to grant a certificate provided for in this chapter, to a person guilty of unprofessional, dishonest, or immoral conduct, and may revoke or suspend a certificate for like cause or causes.

The words "unprofessional conduct" as used in this act are hereby defined to mean any of the following acts, to-wit:

(a) A practitioner of medicine, homeopathy, osteopathy, chiropractic or chiropody, who is guilty of any crime involving moral turpitude or who is guilty of any fraud or deceit by which he was admitted to practice, or

(b) Is an habitual drunkard or habitually addicted to the use of morphine, opium, cocaine or other drugs having a similar effect; or

(c) Who undertakes or engages in any manner or by any ways or means whatsoever, to procure or perform a criminal abortion, as the same is defined by the law of this State.

(d) Prescribing or dispensing morphine, cocaine, or other narcotics or alcoholics with intent or knowledge that same shall be used otherwise than medicinally or with intent to evade any law relative to the sale, use or disposition of such drug.

(e) All advertising of medical business in which grossly improbable or extravagant statements are made, or which have a tendency to deceive or defraud the public, or impose upon credulous or ignorant persons, or in which mention is made in such advertisements of venereal diseases, diseases or

disorders of the genito-urinary organs or chronic ailments.

(f) Violations of section sixteen hundred and thirty-nine of the medical practice act.

(g) Advertising or professing to treat human ailments under a system or school of treatment or practice other than that for which he or she holds a certificate, or advertising that he or she can cure or treat diseases by a secret method, procedure, treatment or medicine.

Any applicant who may be refused admittance to examinations before said board, or who may be refused a certificate by said board, or who may have his certificate revoked by said board shall have his right of action to have such issue tried by the circuit court of the county, or the corporation court of the city within whose jurisdiction he may reside, and the proceedings to try such issue shall be begun by the filing of a petition by such person in such court reciting the facts and making the said board the party defendant; whereupon after due service of process upon the member of said board residing in the congressional district in which said county or city is located, at least ten days before the trial, the court shall proceed to try the issue, the burden of proof being upon the petitioner to establish his right to be examined, to be granted certificate or to practice. It shall be the duty of the Commonwealth's attorney of the said county or corporation to appear on behalf of the board and to file any answer that he may deem expedient on its behalf, and to defend the said action before the court. The judgment of the court upon the issue tried shall be final. The board, or any member thereof, may investigate any person practicing or attempting to practice, or opening an office for the ostensible purpose of practicing medicine, homeopathy, osteopathy, chiropractic and chiropody in this State, and may require such person to produce his certificate granted by the board, document sufficient to establish his right to practice medicine, homeopathy, osteopathy, chiropractic and chiropody, under this chapter; and, in case such person fails or refuses, to prove his right to practice, the investigator shall report the case to the Commonwealth's attorney of the county or city wherein such

person is practicing or attempting or offering to practice, and it shall be the duty of such commonwealth's attorney to immediately prosecute such person for violating this chapter, and upon the trial of such person the burden of proof shall be upon him to establish his right to practice.

Where the license of any person has been revoked, or his registration has been annulled as herein provided, the board may, after the expiration of three months, upon the payment of a fee of five dollars, entertain an application for a new license, and in like manner as original applications for licenses are entertained and upon such new application they may, in their discretion, exempt the applicant from the necessity of undergoing an examination.

ADMISSION TO EXAMINATION; POWER OF BOARD

SEC. 1615. All applications for certificates to practice medicine, homeopathy, osteopathy, and chiropractic in this State after the passing of this act must successfully pass an examination before the board of medical examiners, established by this act. The said board shall admit to examination any candidate who pays a fee of twenty-five dollars, and submits evidence verified by affidavits and satisfactory to the board, that he or she:

(a) Is twenty-one years of age or more, and who has not at any time been guilty of unprofessional conduct, as defined in section sixteen hundred and fourteen.

(b) Is of good moral character.

(c) Had prior to beginning of his or her first year of medical study the general education required preliminary to receiving the degree of bachelor or doctor of medicine in this State. This preliminary education shall meet the requirements of the board of education of the State of Virginia, and a certified statement from the superintendent of said board shall accompany the candidate's application.

(d) Has studied medicine not less than four school years, including four satisfactory courses of at least eight months each in four different calendar years in a medical school registered as maintaining a standard, satisfactory to

the State board of education. Such standard being based upon the grading of the American Medical Association, of the American Institute of Homeopathy, and of the American Osteopathic Association, respectively.

Virginia medical schools and Virginia medical students shall not be discriminated against by the registration of any medical school out of the State whose minimum graduation standard is less than that fixed by statute of Virginia medical schools.

The board may, in their discretion, accept as the equivalent of the first year of requirement (d) evidence of graduation from a registered college course; provided, that such college course shall have included not less than the minimum requirements prescribed by the board, and by the State board of education for such admission to advance standing.

The board may also, at their discretion, admit conditionally to the examination in anatomy and histology, physiology, and embryology and chemistry, applicants nineteen years of age, or more, certified as having studied medicine at some registered medical college not less than two years, including two satisfactory courses of at least eight months each, in two different calendar years, and in having passed in all those medical branches at the said college, but the said college must be registered as maintaining at the time a standard satisfactory to the State board of education as above provided, provided further that such applicant must meet requirements (b) and (c). The board may also, at their discretion, accept as the equivalent of any part of the requirements (c) and (d), five or more years of legal and reputable practice, and such candidate shall be exempted from taking examinations in anatomy and histology, and physiology, embryology, and chemistry.

(e) Has either received the degree of bachelor doctor of medicine from some registered medical school, or a diploma or license conferring full right to practice medicine in some foreign country, unless admitted conditionally to the examination as specified above, in which case all qualifications, including the full period of study, the medical degree and the

final examinations must be met. The degree of bachelor or doctor of medicine shall not be conferred in this State before the candidate has filed with the institution conferring it the certificate of the State board of education that before beginning the first annual medical course counted toward the degree, he had either graduated from a registered college or satisfactorily completed a full course in a registered academy or high school; or had a preliminary education considered and accepted by the State board of education as fully equivalent, or hold a State board of education medical student certificate, or passed State board of education examinations, securing sufficient academic counts, in accordance with the standard of the association of American Medical Colleges, the Council on Medical Education of the American Institute of Homeopathy, or American Osteopathic Association, respectively, or their full equivalent, before beginning the first annual medical course counted towards the degree; provided, however, that when an applicant has failed to pass a satisfactory examination, he may appear before the board again, once within one year without paying an additional fee; provided, that any person who shall produce before the said examining board a certificate from the judge of the circuit court and the Commonwealth's attorney of the county in which he resides stating that in their opinion, from evidence produced before them he was a practicing physician prior to the first day of January, eighteen hundred and ninety-five, practicing osteopath prior to the first day of January, nineteen hundred and three or a practicing chiropractor prior to the first day of January, nineteen hundred and thirteen, then said examining board shall give to said person a certificate allowing said person to practice their profession in Virginia.

DISPOSITION OF FUNDS; COMPENSATION OF MEMBERS OF THE BOARD; HOW PAID

SEC. 1616. The funds realized from all fees collected by the board shall be accounted for and shall be paid into the State treasury. Each member of the board, except the secretary, shall receive eight dollars for each day actually employed

in the discharge of his official duties, together with all necessary expenses incurred. The secretary of the board shall receive, in addition to necessary expenses, an annual salary, to be fixed by the board, not exceeding one thousand dollars. The compensation and expenses of the members, and the necessary expenses of the board shall be paid out of the State treasury, on a requisition signed by the president and secretary of the board, and upon the warrant of the comptroller.

CONDUCT OF EXAMINATIONS

SEC. 1617. All examinations shall be conducted in writing, together with practical tests, when the majority of the board may deem necessary in such manner as shall be entirely fair and impartial to all individuals and every school of medicine, the applicants being known by numbers, without names or other method of identification on examination papers by which members of the board may be able to identify such papers until after the applicants have been granted certificates or rejected. Upon satisfactory examination, under the rules of the board, applicants shall be granted certificates to practice medicine, homeopathy, osteopathy, chiropractic or chiropody. All certificates shall be attested by the signature and seal of the president and secretary of the board, respectively.

EXEMPTIONS FROM EXAMINATION; EXCEPTIONS

SEC. 1618. Nothing in this chapter shall be construed to affect commissioned or contract medical officers serving in the United States army, navy or public health and marine hospital service, while so commissioned and the performance of their duties, but such shall not engage in private practice without license from the board of medical examiners of the State, and the board may issue certificates of qualification without examination to medical officers in the public service of the United States on presentation of satisfactory credentials, the fee for which shall be the same as for reciprocity. On the face of these certificates it must appear that they were issued pro forma, and without examination. This chap-

ter shall not affect any person while actually serving without salary or professional fees on the resident medical staff of any legally incorporated hospital, or any legally registered dentist exclusively engaged in practicing dentistry; or any legally registered optometrist exclusively engaged in practicing optometry; or any nonitinerant person or manufacturer who fits artificial eyes, limbs or other apparatus or appliances; or any lawfully qualified practitioner from other States, territories or countries, meeting legally registered practitioners in this State in consultation, but who does not open offices or appoint places in this State where patients may be met or called to be seen; or to limit in any way the manufacture or sale of proprietary medicines by licensed druggists in this State; or to the furnishing of medical assistance in cases of emergency; or to the domestic administration of family remedies; or to the practice of the religious tenets of any church in the ministration to the sick or suffering by mental or spiritual means without the use of any drug or material remedy, whether gratuitously or for compensation, provided sanitary laws are complied with; or to affect or interfere in any way with the operation of any hospital now established in this State; or to any person while engaged in conducting such hospital now established, if there be a licensed practitioner resident or practicing therein; or to nurses who practice nursing only; or to masseurs, in their particular sphere of labor, who publicly represent themselves as such. This chapter shall be construed to apply to persons not pretending to be physicians, who offer for sale on the streets or other public places or leave gratuitously at residences, remedies which they recommend for the healing or curing of diseases. This chapter shall be construed to repeal all acts or parts of acts authorizing conferment of any degree in medicine causa honoris or ad eundam grandam or otherwise than on students duly graduated after satisfactory completion of a preliminary medical course, not less than that required by this chapter as a condition of license It is further provided that graduates of any sectarian school of medicine who profess to practice medicine according to the tenets of said schools shall fulfill

all the conditions of the board and of the State board of education, save that they may be exempted from taking the examination of the regulars on practice of medicine, materia medica and therapeutics. A license to practice such sectarian school of medicine shall not permit the holder thereof to administer drugs or practice surgery unless he has qualified himself so to do by examination before the board, nor shall it permit members of such sectarian schools, now practicing in this State to perform surgery with the use of instruments unless they satisfy the board that they have had adequate clinical facilities at their respective college of graduation, or by hospital work, to enable them to perform such operations.

(Sections 1619-1621 apply to chiropody.)

DEFINITION OF PRACTICE OF MEDICINE

SEC. 1622. Any person shall be regarded as practicing medicine within the meaning of this chapter (1) who opens an office for such purpose, or announces to the public in any way a readiness to practice medicine in any county or city of the State, or prescribe for, or give surgical assistance, diagnoses or treats, heals, cures, or relieves those suffering from injury or deformity or disease of mind or body, or advertises, or announces to the public in any manner a readiness or ability to heal, cure or relieve those who may be suffering from injury or deformity, or disease of mind or body for a compensation; (2) or who shall use in connection with his name the words or letters "Dr.," "Doctor," "Professor," "M.D." or "Healer," or any other title, word, letter or designation intending to imply or designate him as a practitioner of medicine in any of its branches, or of being able to heal, cure, or relieve those who may be suffering from injury or deformity or disease of mind or body. This section shall also apply to corporations.

PENALTIES

SEC. 1623. Any person practicing medicine, homeopathy, osteopathy, chiropractic or chiropody in this State in violation of the provisions of this chapter, shall, upon convic-

tion thereof, be fined not less than fifty dollars nor more than five hundred dollars for each offense, and in addition may be imprisoned in the jail of the county or city in which convicted, for a term not exceeding six months, and for a second offense the punishment shall be a fine of not less than fifty dollars, or more than five hundred dollars and imprisonment of not less than thirty days nor more than one hundred and eighty days, and each day of such violation shall constitute a separate offense; and in no case shall the violator be entitled to recover anything for the services rendered. It shall be the duty of the clerk of the circuit court of the county or the clerk of the corporation court of the city wherein such conviction is had, to report the fact of the same to the board of medical examiners, who shall thereupon annul the license of the person convicted, if said person was a licensed practitioner.

OKLAHOMA

Session Laws of 1921, Chapter 7

An Act to regulate the practice of Chiropractic; to create a board of chiropractic examiners and to provide for the appointment of same; to fix rules and regulations governing said board; to provide a curriculum; to provide a fee for examination; to provide for the disposal of the fund arising from said fees; to regulate the holding of meetings of said board and the issuance of licenses to practice chiropractic; and to provide a penalty for practicing chiropractic without a license as provided for by this Act; providing for the educational standard required; defining the science of chiropractic and repealing all conflicting acts.

Be It Enacted by the People of the State of Oklahoma:

BOARD OF CHIROPRACTIC EXAMINERS — APPOINTMENT — TERM

SECTION 1. That a Board of Chiropractic Examiners be, and the same is hereby created, to be composed of three

Chiropractors, eligible to licensure to practice Chiropractic in this State; Provided that the First Board shall be composed of Chiropractors who are graduates of legally chartered schools or colleges of Chiropractic and who have practiced Chiropractic continuously in this State for and during the five years next preceding the taking effect of this act, and, for the purpose of being appointed to the first Board of Chiropractic Examiners, practitioners in this State having the qualifications herein named, shall be deemed qualified, and within thirty days from and after the taking effect of this act, the Governor of this State shall appoint three such Chiropractors to said Board; one to serve one year, one for two years and one for three years; provided that thereafter, the term of office shall be three years, and one new member shall be appointed to said Board each year, and the Governor shall by appointment, fill all vacancies on said Board.

SAME—MEETINGS—OFFICERS—EXAMINATIONS

SEC. 2. Said Board of Chiropractic Examiners shall convene within thirty days after appointment and shall organize by electing one member President, one Treasurer and one Secretary, each of which officers shall perform the duties generally appertaining to such offices. After so organizing, said Board shall fix a day for holding the first general examination, which shall be within sixty days thereafter. The date and place of said examination shall be published three times in a newspaper having statewide circulation, the last of which publications shall be at least ten days prior to said examination.

Said Board of Examiners shall adopt rules and regulations for its procedure, copies of which shall be kept by the Secretary of said Board and shall be delivered upon request. After said first meeting, said Board of Chiropractic Examiners shall convene regularly on the second Monday of January and July of each year at the Capitol, and shall hold such adjourned and special meeting as shall be found expedient, or necessary.

LICENSE—APPLICATION FOR—FEES—EXAMINATION

SEC. 3. Applications for license to practice Chiropractic shall be made to the Board of Chiropractic Examiners, and shall be signed by the applicant in his own handwriting, setting forth the qualifications of the applicant, and, by reference, making a copy of his or her diploma a part of the application; each of which statements shall be supported by the affidavits of two Chiropractors, not related to or under financial obligations to the applicant; to which shall be appended the certificates of at least two Chiropractors practicing in this State, showing the applicant to be possessed of good moral character, and shall accompany said application with Twenty-Five ($25.00) Dollars; and before proceeding further, said Board of Chiropractic Examiners shall pass upon said application. If the same is disapproved, the application shall be returned to the applicant with the reason for his disapproval stated fully in writing. If the application is approved, the applicant shall be admitted to examination and, before taking same, shall deposit with the Treasurer of the Board Twenty-Five ($25.00) Dollars additional; if the applicant shall fail to pass the examination, said last Twenty-Five ($25.00) Dollars shall be returned, and if the applicant shall pass the required examination, said sum of Twenty-Five ($25.00) Dollars shall be in full payment of license fees; provided, that at the first session of the Board for the examination of applicants for licensure, all Chiropractors having been in actual practice within this State at the time of the taking effect of this act, shall present themselves for examination and the said Board herein created shall proceed to examine in writing each of said applicants upon the subjects named in Section Four of this Act; provided, however, that all applicants for examination who are not actually engaged in the practice of Chiropractic at the time of this act, before being eligible for examination, have previously taken and passed a three years' course of study of not less than six months each in legally chartered and reputable schools or colleges of Chiropractic; and such applicants must have in addition thereto a high school education in an approved and recognized high school

or its equivalent. It is further provided, however, that after the expiration of four years from date of the passage of this Act, the aforesaid Chiropractic Board is given the power, if it deems such action desirable, to increase such Chiropractic study requirements from three to four years of six months each, and to add such additional subjects to the examination required herein as shall keep the said Board and the said profession in line with the future development, if any, of the Science of Chiropractic.

SAME—SUBJECTS—DEFINITION OF CHIROPRACTIC

SEC. 4. Said Board of Chiropractic Examiners shall examine all applicants whose applications have been approved in writing, on the following subjects:

Chiropractic Principles, Anatomy, Histology, Physiology, Symptomatology, Orthopedia, Chemistry, Spinography, Diagnosis, Sanitation and Hygiene, Pathology, Public Health Service and Adjustology.

Following said written examination, said Board shall examine each applicant in the Art of Chiropractic adjusting in such manner and by such methods as shall reveal the applicant's qualifications. Said Board shall issue licenses to all applicants whose applications shall have been filed with and approved by said Board, and who have paid the required fees and passed the required examination, as herein provided, with a general average of not less than seventy-five (75%) per cent, with no subject below sixty (60%) per cent; provided, that a license shall be refused to any applicant who fails to make application as herein provided, or who fails to pay the fees as herein required. Said license, when granted by said Board of Chiropractic Examiners, shall entitle the holder thereof to practice the science of Chiropractic; herein defined to be as follows:

"Chiropractic is hereby defined to be the science that teaches health in anatomic relation and disease of abnormality in anatomic dis-relation, and includes hygienic and sanitary measures incident thereto."

Provided that before the holder of any license shall enter the practice thereunder, he shall have the same recorded in the office of the County Clerk, in the county of the practitioner's residence and practice; provided that failure to record such license within ten days after demand by the Board of Chiropractic Examiners, shall act as a suspension of said license until same is recorded; provided, that the fee for recording said license shall be Two ($2.00) Dollars, which shall be paid by the license holder. The County Clerk shall attach his certificate of record and date of recording to said license.

The Treasurer of said Board of Chiropractic Examiners shall give bond in the sum of Five Thousand ($5000.00) Dollars, with one or more sureties to be approved by the Board, for the faithful discharge of his duties and shall make at the July meeting of the Board, a full itemized report of his receipts and disbursements for the year, showing the amount on hand, and any amounts on hand after payment of current expenses, shall be retained by said Board in a separate fund to be paid out only for the actual expenses of said Board and the general work incident to its usual activities. It is provided that the members of said Board of Chiropractic Examiners shall receive Twenty ($20.00) Dollars per diem for each day necessarily spent in the discharge of his duties, as such member of said Board, and shall receive in addition thereto, five cents per mile for each mile necessarily traveled in going to and returning from all meetings of the Board; provided, that salaries and expenses herein stated and all other expenses incident to the conduct of the affairs of said Board shall be paid out of the funds of said Board and not otherwise, and shall be paid only on the order of the Board, signed by the President and the Secretary of said Board.

CHIROPRACTIC PRACTITIONERS—GOVERNED BY PUBLIC HEALTH LAWS

SEC. 5. Chiropractic practitioners hereunder shall be bound by all the health police regulations of this State that shall apply to them, and shall be qualified to sign death cer-

tificates, and all other certificates, including those relating to public health, the same as medical practitioners, and with like effect. It is further provided, that any person who shall practice Chiropractic without having first procured the license provided for herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall for the first offense be fined not less than One Hundred ($100.00) Dollars nor more than Two Hundred ($200.00) Dollars; for each subsequent offense, shall be fined as for the first, and in addition thereto, confined in the county jail for not less than one month and not more than three months, and in either event shall pay the cost of prosecution.

RECIPROCAL LICENSURE

SEC. 6. Reciprocal licensure shall be extended to Chiropractors licensed and practicing in such States as granted this courtesy to Chiropractors licensed and practicing in the State of Oklahoma.

REPEALING CLAUSE

SEC. 7. All Acts and parts of Acts in conflict with this Act, are hereby repealed.

Approved February 21, 1921.

RULES AND REGULATIONS OF THE BOARD OF CHIROPRACTIC EXAMINERS

State of Oklahoma

ADOPTED JULY 9TH, 1921

REVISED AND AMENDED MARCH 20, 1922

1. The Board will adhere to the provisions of Section 8898 to 8903 inclusive, Compiled Oklahoma Statutes, 1921.

2. These rules and regulations are subject to change or revision at any regular or special meeting of the Board.

3. All proceedings of the Board shall be governed by Robert's Rules of Order.

4. The Board shall approve or disapprove the bond of Treasurer, given under the Act. The Secretary shall be the custodian of said Bond for the Board.

5. All examinations shall be conducted in the English language. Applicants will be examined in writing on the subjects prescribed by the Act, as taught by Chiropractic schools or colleges. The applicant will be examined in palpating, nerve tracing, and adjusting in oral portion of the examination prescribed by the Act in such manner and to such extent as will satisfy the Board of his admissibility.

Time, semi-annually, beginning at 9 A.M., the second Monday of July and January, of each year, at the Capitol.

6. A photograph of each applicant must accompany the application, and same must have been taken within one year prior to submission of the application. All applications for examination or reciprocal licensure shall be made on blanks furnished by the Board. On all regular examinations, application must be in the hands of the Secretary at *least 15 days prior to date of examination.*

7. Upon request for application blank the Secretary will mail applicant copy of the Rules and Regulations.

8. It shall be the object of this Board to foster higher professional standards as rapidly as is consistent with the best interests of the profession. In this, it shall not be swayed or influenced by any school interests whatsoever.

9. Applicants will subscribe to the pledge contained in the application blank furnished by the Board, and promise to report to this Board all infractions of the law and of the rulings of this Board by other practitioners. They will further pledge themselves to assist in enforcing the law in every manner possible, as it is obvious that a Board of three members cannot be expected to secure all the information necessary to keep the State free from imposters.

10. Whenever the Board shall deem it expedient, it may cause to appear before it any applicant whose right to be licensed may not be clearly defined; or any other person making affidavit regarding an applicant when desired by the

Board. It may also in its discretion, refuse such applicant license forthwith.

11. Successful applicants for license must at all times display conspicuously, in their offices, the license granted them by this Board.

12. Constructive educational publicity is encouraged. Applicants must promise to refrain from using or causing to be used, advertising matter which contains mis-statements, falsehoods, misrepresentations, distorted or fabulous statements as to cures, etc.

13. No credit whatever will be allowed on the educational requirements of the Act for any so-called home extension, or Correspondence study.

14. Any false statement or certificate furnished by any applicant to the Board on any material fact required by the laws of Oklahoma or the rules of this Board shall be deemed by the Board a sufficient warrant for the rejection of the application for a license to practice the science of Chiropractic.

15. All credentials written in any language other than English shall be translated into the language and certified to under the seal of the Consulate.

16. All Chiropractors licensed under this Act shall keep the Board notified at all times of any change in their mailing address.

17. This Board does not issue temporary licenses to practice in Oklahoma. The filing of application to the Board, therefore, does not grant any special privileges.

18. Any license issued by this Board may be revoked for failure on the part of the holder thereof to comply with the laws of Oklahoma and the rules and regulations promulgated by this Board, or for any conduct involving moral turpitude; and the acceptance by an applicant of a license by the Board hereunder shall be with the express and distinct understanding on the part of such licensee that the license is held by him subject to this restriction.

19. Reciprocity will be granted only to those states which extend like recognition to Oklahoma, and who through

their Boards fill out the prescribed blanks and return to this Board duly certified. We give and require six months' notice of intention to withdraw from reciprocity with any state. The fee for reciprocity will be $50.00, the same to accompany application. Application blanks will be furnished by the Secretary of the Board to reciprocity applicants on request.

20. The Board will engage counsel, at an annual retainer, for the purpose of advising the Board on all matters of procedure and law which may arise, such retainer to be paid as a part of the expenses of the Board, from such funds as may be realized from application fees, and to engage such clerical help as may be found necessary and expedient in the conduct of its affairs.

21. Chiropractors filling out affidavits as to "contents of application" must be legally qualified practitioners of Chiropractic in their respective states. Those filling out character affidavits must be legally qualified and holders of unrevoked licenses to practice in Oklahoma.

ADDITIONAL RULES ADOPTED JULY 10, 1922

22. This Board will not admit to examination nor license any applicant who has practiced Chiropractic in this State prior to examination by this Board, or who has maintained an office for the practice of any method wherein disrelated tissue was related, unless he was the possessor of a license issued by some other duly constituted Oklahoma State Board so to do.

23. That provision of the law requiring a three-year course in Chiropractic Schools or Colleges of not less than six months each is not deemed complied with by simply attending classes in two colleges at the same time.

ADDITIONAL RULE ADOPTED JULY 23, 1923

24. To more completely serve the Chiropractic profession in Oklahoma and to enable the intelligent recommendation as to character, etc., on the part of the Board and to promote harmony among the several state Boards of Exam-

iners, the Board of Chiropractic Examiners, State of Oklahoma, will, from and after July 23, 1923, expect from Chiropractors practicing in the State of Oklahoma, who desire reciprocal licensure with other states, a certificate of good moral character, certifying that the applicant has conducted himself in an honorable, ethical and upright manner, from the President of the Oklahoma State Association of Licensed Chiropractors. Upon the receipt of this certificate, executed in form, the Board of Examiners will recommend such applicants for reciprocal licensure with the several state Boards who recognize Oklahoma licensees for reciprocal purposes.

ADDITIONAL RULE ADOPTED JULY 14, 1924

25. No school or college of Chiropractic will be considered reputable which matriculates students for a so-called Home Extension, Correspondence, Night or Evening Course.

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